

**Hall of the House of Representatives**  
92nd General Assembly - Regular Session, 2019  
**Amendment Form**

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Subtitle of Senate Bill No. 550

TO AMEND THE LAW REGARDING LIQUID LIVESTOCK LITTER UTILIZATION.

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**Amendment No. 1 to Senate Bill 550**

Amend Senate Bill No. 550 as engrossed, S3/18/19 (version: 3/18/2019 1:27:16 PM)

Page 3, delete lines 14 through 22, and substitute the following:

"(a)(1)(A) The Arkansas Natural Resources Commission shall establish public notification requirements, qualifications, standards, and procedures for the review of a nutrient management plan and the issuance of permits for a liquid livestock litter management system.

(B) This section does not supersede or otherwise adversely impact the authority delegated to the Arkansas Department of Environmental Quality by the United States Environmental Protection Agency to administer the National Pollution Discharge Elimination System permit program.

(2) A confined livestock feeding operation utilizing a liquid livestock litter management system shall develop and implement a liquid livestock litter management plan that is acceptable to the commission.

(3) A person that intends to develop a liquid livestock litter management plan shall obtain certification from the commission under § 15-20-1004 before developing the liquid livestock litter management plan.

(4) The liquid livestock litter management plan is a part of the nutrient management plan of the confined livestock feeding operation."

AND

Page 4, delete lines 3 through 6, and substitute the following:

"(c)(1) Before approval of a liquid livestock litter management system permit by the commission, the board of directors of the county conservation district where the majority of the land to which the liquid livestock litter management plan applies is located shall have the opportunity to review and approve or disapprove the liquid livestock litter management plan."

AND

Page 4, delete lines 12 through 14, and substitute the following:

"(d) An approved liquid livestock litter management plan shall not be implemented until the commission has:



- (1) Reviewed and approved the nutrient management plan; and
- (2) Issued a liquid livestock litter management system permit."

AND

Page 4, line 18, delete "waste" and substitute "litter management"

AND

Page 4, line 20, delete "waste" and substitute "litter management"

AND

Page 4, line 21, delete "waste" and substitute "litter management"

AND

Page 4, line 31, delete "notification period" and substitute "timeliness"

AND

Page 5, line 8, delete "15-20-1116." and substitute "15-20-1116 that shall, at a minimum, maintain the current standards and requirements of Arkansas Pollution Control and Ecology Commission Regulation No. 5 Liquid Animal Waste Systems, including without limitation the following chapters of Regulation No. 5:

- (1) Chapter 1: Title, Purpose and Applicability;
- (2) Chapter 2: Definitions;
- (3) Chapter 3: Permit, Applications and Procedures;
- (4) Chapter 4: Technical Requirements;
- (5) Chapter 5: Facility Construction Certification;
- (6) Chapter 6: Alternative Permitting and Waste Management;
- (7) Chapter 7: Facility Closure;
- (8) Chapter 8: Administrative Procedures; and
- (9) Chapter 9: Watershed Specific Regulations."

AND

Page 5, line 19, add an additional subsection to read as follows:

"(c) If Region 6 of the United States Environmental Protection Agency determines that the final rules promulgated by the commission to implement this act either supersede or otherwise adversely impact the delegated authority of the Arkansas Department of Environmental Quality to administer the National Pollution Discharge Elimination System permit program as delineated in the Memorandum of Agreement between the department and Region 6 of the United States Environmental Protection Agency, as executed on October 31, 1986, and as amended in January 1995, the rules and this act, after all legal remedies have been unsuccessful by the Attorney General, will be considered void, and the authority to administer "no discharge permits"

associated with the generation, storage, handling, and land application of liquid animal litter will revert back to the department."

The Amendment was read \_\_\_\_\_  
By: Representative Bentley  
CRH/CRH - 03-25-2019 14:43:51  
CRH159

\_\_\_\_\_  
Chief Clerk