

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

A BILL ACT 615 OF 1991
SENATE BILL 536

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 8-7-905(d) TO PERMIT USE OF
9 FUNDS IN THE PETROLEUM STORAGE TANK TRUST FUND TO
10 REIMBURSE OWNERS AND OPERATORS FOR TESTING FOR SUSPECTED
11 LEAKS TO DETERMINE THE SOURCE; 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 8-7-905(d) is hereby amended by adding the
16 following paragraph:

17 "(5) To reimburse owners and operators in the vicinity of the release
18 for performing short-term testing and/or monitoring which is in addition to
19 that required by the Department's rules and regulations if the Department has
20 a reasonable basis for believing that such petroleum underground storage
21 tank(s) may be the source of the release. The owners and operators of
22 petroleum underground storage tanks (including out-of-service and
23 nonoperational) not found to be the source of the release and who cooperated
24 with the Department may apply to the Fund for reimbursement, for such testing
25 and monitoring costs (not including lost managerial time or loss of revenues
26 because of temporary business closure)."

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

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

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SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: 3-19-91