

As Engrossed: 3/21/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Senator Mahony**

A Bill

ACT 907 OF 1995
SENATE BILL 799

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 8-4-308(a) CONCERNING THE
CONFIDENTIALITY OF INDUSTRIAL SECRETS UNDER THE AIR
POLLUTION LAW; AND FOR OTHER PURPOSES."

Subtitle

"AN ACT CONCERNING THE CONFIDENTIALITY
OF INDUSTRIAL SECRETS UNDER THE AIR
POLLUTION LAW."

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

SECTION 1. Arkansas Code 8-4-308(a) is amended to read as follows:

"(a) Any information which constitutes a trade secret under §4-75-601 et seq. which is obtained by the Arkansas Pollution Control and Ecology Commission or its employees in the administration of this chapter shall be kept confidential, except for emission data which is submitted to the state, local agency, or the Environmental Protection Agency, which is otherwise obtained by any of those agencies pursuant to the federal Clean Air Act. Only such emission data is to be publicly available. The manner and rate of operation of the source, if such information is a trade secret, shall be kept confidential; provided that the identity, amount, frequency, and concentration of the emissions is publicly available."

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

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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6 hereby repealed.

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/s/Mahony

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APPROVED: 4-5-95

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