

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

ACT 1055 OF 1997  
SENATE BILL 572

4  
5 By: Senator Boozman and Webb  
6 By: Representative Hendren

## For An Act To Be Entitled

9 "A BILL TO ELIMINATE THE REQUIREMENT FOR THE ARKANSAS  
10 DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY (ADPC&E) TO  
11 ISSUE A PERMIT TO A TRANSPORTER IN ORDER TO HAUL HAZARDOUS  
12 WASTE IN OR THROUGH THE STATE; AND FOR OTHER PURPOSES."

## Subtitle

14 "HAZARDOUS WASTE TRANSPORTER BURDEN  
15 REDUCTION ACT"  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

### 19 20 SECTION 1. Purpose.

21 The purpose of this act is to bring the state law into coordination with  
22 the existing federal law. The program of permitting hazardous waste  
23 transporters initiated through the existing state law has for many years  
24 proven an administrative burden on both the Department of Pollution Control  
25 and Ecology and on industry without providing any additional protection to the  
26 environment or public health. Therefore, this act will eliminate an  
27 unnecessary regulation while maintaining the integrity of the programs which  
28 provide the benefits of notice, monitoring, and enforcement.

### 29 30 SECTION 2. Arkansas Code § 8-7-209(a)(6) is amended to read as follows:

31 "(6) To issue, continue in effect, revoke, modify, or deny, under such  
32 conditions as it may prescribe, permits for ~~the transportation of hazardous~~  
33 ~~waste and~~ the establishment, construction, operation, or maintenance of  
34 hazardous waste treatment, storage, or disposal facilities or sites, as more  
35 particularly prescribed by §§ 8-7-215 - 8-7-222;"

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1 SECTION 3. Arkansas Code § 8-7-215 is amended to read as follows:

2 "8-7-215 Permits - Requirement.

3 (a) No person shall construct, substantially alter, or operate any  
4 hazardous waste treatment or disposal facility or site, nor shall any person  
5 store, ~~transport~~, treat, or dispose of any hazardous waste without first  
6 obtaining a permit from the department for the facility, site, or activity.

7 (b) Persons who construct, substantially alter, or operate a facility  
8 which generates hazardous wastes shall be subject to the reporting  
9 requirements of this subchapter but shall not be required to obtain a permit  
10 under this subchapter unless such person also stores, ~~transports~~, treats, or  
11 disposes of hazardous wastes."

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13 SECTION 4. All provisions of this act of a general and permanent nature  
14 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
15 Revision Commission shall incorporate the same in the Code.

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17 SECTION 5. If any provision of this act or the application thereof to  
18 any person or circumstance is held invalid, such invalidity shall not affect  
19 other provisions or applications of the act which can be given effect without  
20 the invalid provision or application, and to this end the provisions of this  
21 act are declared to be severable.

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

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APPROVED: 4-02-97

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