

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 486 of 2003
HOUSE BILL 1513

5 By: Representative Ledbetter
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 8-7-806,
10 CONCERNING PENALTIES THE ARKANSAS DEPARTMENT OF
11 ENVIRONMENTAL QUALITY MAY ASSESS AGAINST LICENSED
12 INSTALLERS OR TESTERS OF UNDERGROUND STORAGE
13 TANKS; TO PROVIDE THE PROCEDURE BY WHICH LICENSED
14 INSTALLERS OR TESTERS OF UNDERGROUND STORAGE
15 TANKS MAY HAVE THEIR BONDS FORFEITED; AND FOR
16 OTHER PURPOSES.

Subtitle

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18 AN ACT TO PROVIDE THE PROCEDURE BY WHICH
19 LICENSED INSTALLERS OR TESTERS OF
20 UNDERGROUND STORAGE TANKS MAY HAVE THEIR
21 BONDS FORFEITED.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 8-7-806(e), concerning penalties the
28 Arkansas Department of Environmental Quality may assess against licensed
29 installers or testers of underground storage tanks, is amended to read as
30 follows:

31 (e) The department is authorized to institute a civil action in any
32 court of competent jurisdiction to accomplish any or all of the following:

33 (1) Restrain any violation of or compel compliance with the
34 provisions of this subchapter or of any rule, regulation, permit,
35 certification, license, plan, or order issued pursuant thereto or restrain
36 the commission of any unlawful act hereunder;



1 (2) Affirmatively order that remedial measures be taken as may
2 be necessary or appropriate to implement or effectuate the purposes and
3 intent of this subchapter;

4 (3) Recover all costs, expenses, and damages to the department
5 and any other agency or subdivision of the state in enforcing or effectuating
6 the provisions of this subchapter, including, but not limited to, natural
7 resource damages;

8 (4) Assess civil penalties in an amount not to exceed ten
9 thousand dollars (\$10,000) per day for violations of this subchapter or of
10 any rule, regulation, permit, certification, license, plan, or order issued
11 pursuant to this subchapter or for any unlawful act under this subchapter; ~~or~~

12 (5) Recover civil penalties assessed pursuant to subsection (d)
13 of this section; or

14 (6) Forfeit a surety bond purchased pursuant to this subchapter.

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17 APPROVED: 3/18/2003
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