

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4
5 By: Senator D. Sanders
6

As Engrossed: S3/21/17

A Bill

SENATE BILL 364

For An Act To Be Entitled

8 AN ACT TO SIMPLIFY AND MODERNIZE THE NOTICE
9 REQUIREMENTS FOR PERMITS ISSUED BY THE ARKANSAS
10 DEPARTMENT OF ENVIRONMENTAL QUALITY; TO ALLOW
11 ELECTRONIC NOTICE FOR MATTERS RELATED TO PENDING AND
12 FINAL PERMITTING DECISIONS; AND FOR OTHER PURPOSES.

Subtitle

16 TO SIMPLIFY AND MODERNIZE THE NOTICE
17 REQUIREMENTS FOR PERMITS ISSUED BY THE
18 ARKANSAS DEPARTMENT OF ENVIRONMENTAL
19 QUALITY.

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

24 SECTION 1. Arkansas Code § 8-4-203(d)(3), concerning permits issued by
25 the Arkansas Department of Environmental Quality, is amended to read as
26 follows:

27 (3)(A) If the department determines that a hearing is necessary
28 or desires such a hearing, the department shall schedule a public hearing
29 ~~and.~~

30 (B)(i) If the department schedules a public hearing, the
31 department shall notify by first class mail the applicant and all persons
32 that who have submitted comments of the date, time, and place of the public
33 hearing.

34 (ii) The notice shall be provided using one (1) of the
35 following methods based on the contact information available for the
36 applicant or the person and the Director of the Arkansas Department of



1 Environmental Quality discretion:

2 (a) First class mail; or

3 (b) Electronic mail.

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5 SECTION 2. Arkansas Code § 8-4-203(e)(1)(C), concerning permits issued
6 by the Arkansas Department of Environmental Quality, is amended to read as
7 follows:

8 (C)(i) At the conclusion of the public comment period, the
9 department shall ~~announce in writing its~~ provide a final written permitting
10 decision regarding the permit application.

11 (ii) The final written permitting decision shall be
12 published on the department's website.

13 (iii) The department shall provide the applicant the final
14 permitting decision using one (1) of the following methods based on the
15 contact information available and the director's discretion:

16 (a) First class mail; or

17 (b) Electronic mail.

18 (iv) The department shall provide notice of the final
19 permitting decision to all persons who have submitted comments using one (1)
20 of the following methods based on the contact information available and the
21 director's discretion:

22 (a) First class mail; or

23 (b) Electronic mail.

24
25 /s/D. Sanders

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28 **APPROVED: 04/06/2017**