

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 719 of 1999  
SENATE BILL 487

5 By: Senator Ross  
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7

## For An Act To Be Entitled

9 "AN ACT TO AMEND AND SUBDIVIDE ARKANSAS CODE 8-5-  
10 201(4) AND 8-5-204; TO CLARIFY WHOM THE WASTEWATER  
11 LICENSING COMMITTEE IS TO ADVISE AND ASSIST; TO REPEAL  
12 ARKANSAS CODE 8-5-204 (AS AMENDED BY ACTS 1997, NO.  
13 1219), A DUPLICATE SECTION ENACTED DURING A PREVIOUS  
14 LEGISLATIVE SESSION; AND FOR OTHER PURPOSES."

## Subtitle

16 "AN ACT TO AMEND AND CLARIFY THE  
17 REGULATION OF WASTEWATER TREATMENT  
18 PLANTS AND OPERATORS."  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code 8-5-201(4) is amended to read as follows:

25 "(4) 'Wastewater treatment plant' means any plant, disposal  
26 field, lagoon, pumping station, or other works ~~installed for the purpose of~~  
27 ~~treating;~~

28 (A) That use chemical or biological processes for:

29 (i) Treating, stabilizing, or disposing of sewage,  
30 industrial wastes, or other wastes and for the wastewaters or other  
31 wastewaters; or

32 (ii) The reduction and handling of sludge removed  
33 from such wastewater, used or intended for use by the public; and

34 (B) From which:

35 (i) A discharge to the waters of the state occurs; or  
36 (ii) Municipal wastewater is land-applied;"

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2 SECTION 2. Arkansas Code 8-5-204 [As amended by Acts 1997, No. 1219] is  
3 repealed:

4 ~~8-5-204. Licensing committee. [As amended by Acts 1997, No. 1219.]~~

5 ~~(a) There is created and established a licensing committee to advise~~  
6 ~~and assist the commission and department in the administration of the~~  
7 ~~licensing program, which shall be composed of eight (8) members:~~

8 ~~(1) Five (5) members, to be appointed by the commission, of which~~  
9 ~~three (3) members shall be active wastewater treatment plant operators~~  
10 ~~licensed by the department and two (2) members shall be employed by a private~~  
11 ~~corporation or industry located in Arkansas and nominated at large by the~~  
12 ~~corporations or industries for service on the committee;~~

13 ~~(2) One (1) member, to be appointed by the commission, shall be~~  
14 ~~an employee of a municipality operating a wastewater treatment plant who holds~~  
15 ~~the position of chief administrative officer, city engineer, director of~~  
16 ~~public utilities, or other equivalent position;~~

17 ~~(3) One (1) member, to be appointed by the commission, shall be a~~  
18 ~~faculty member of an accredited college, university, or professional school in~~  
19 ~~the state whose major field is related to water resources or sanitary~~  
20 ~~engineering; and~~

21 ~~(4) One (1) member shall be the Director of the Department of~~  
22 ~~Pollution Control and Ecology, or a qualified member of his staff, who shall~~  
23 ~~act as executive secretary of the licensing committee.~~

24 ~~(b)(1) In the event of a vacancy, a new member shall be appointed by~~  
25 ~~the commission to serve out the unexpired term.~~

26 ~~(2) No member shall serve more than two (2) consecutive three-~~  
27 ~~year terms.~~

28 ~~(c)(1) State agency members of the licensing committee shall receive no~~  
29 ~~additional salary or per diem for their services as members of the committee,~~  
30 ~~but they shall be allowed their travel and maintenance expenses while~~  
31 ~~attending meetings away from Little Rock.~~

32 ~~(2) The members appointed by the commission shall be allowed per~~  
33 ~~diem in accordance with law, plus their travel and maintenance expenses while~~  
34 ~~attending meetings.~~

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36 SECTION 3. Arkansas Code 8-5-204 [As amended by Acts 1997, Nos. 250 and

1 697] is amended to read as follows:

2 "8-5-204. Licensing committee. ~~[As amended by Acts 1997, Nos. 250 and~~  
3 ~~697.]~~

4 (a)(1) There is created and established a licensing committee to advise  
5 and assist the Arkansas Pollution Control and Ecology Commission and the  
6 Arkansas Department of Environmental Quality in the administration of the  
7 licensing program, ~~which;~~

8 (2) Which shall be composed of eight (8) members:

9 (1)(A) Five (5) members, to be appointed by the commission,  
10 of which three (3) members shall be active wastewater treatment plant  
11 operators licensed by the commission and two (2) members shall be employed by  
12 a private corporation or industry located in Arkansas and nominated at large  
13 by the corporations or industries for service on the committee;

14 (2)(B) One (1) member, to be appointed by the commission,  
15 shall be an employee of a municipality operating a wastewater treatment plant  
16 who holds the position of chief administrative officer, city engineer,  
17 director of public utilities, or other equivalent position;

18 (3)(C) One (1) member, to be appointed by the commission,  
19 shall be a faculty member of an accredited college, university, or  
20 professional school in the state whose major field is related to water  
21 resources or sanitary engineering; and

22 (4)(D) One (1) member shall be the Director of the  
23 ~~Department of Pollution Control and Ecology,~~ Arkansas Department of  
24 Environmental Quality or a qualified member of his staff, who shall act as  
25 executive secretary of the licensing committee.

26 (b)(1) In the event of a vacancy, a new member shall be appointed by  
27 the commission to serve out the unexpired term.

28 (2) No member shall serve more than two (2) consecutive three-  
29 year terms.

30 (c)(1) State agency members of the licensing committee shall receive no  
31 additional salary or per diem for their services as members of the committee,  
32 but they may receive expense reimbursement in accordance with § 25-16-901 et  
33 seq.

34 (2) The members appointed by the commission may receive expense  
35 reimbursement and stipends in accordance with § 25-16-901 et seq."

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

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

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

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15 APPROVED: 3/18/1999  
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