## Stricken language would be deleted from and underlined language would be added to present law. Act 858 of the Regular Session

1	State of Arkansas	As Engrossed: S3/20/17 $ m A~Bill$	
2	91st General Assembly	A DIII	CENIATE DILL 654
3	Regular Session, 2017		SENATE BILL 654
4			
5	By: Senator D. Sanders		
6 7		For An Act To Be Entitled	
8	AN ACT TO CREATE THE VOLUNTARY ENVIRONMENTAL		
9	STEWARDSHIP PROGRAM TO REWARD ORGANIZATIONS THAT USE		
10	ENVIRONMENTAL MANAGEMENT PLANS AND DEMONSTRATE		
11	EXCEPTIONAL, SUSTAINED ENVIRONMENTAL PERFORMANCE; AND		
12	FOR OTHER PURPOSES.		
13			
14			
15		Subtitle	
16	TO CH	REATE THE VOLUNTARY ENVIRONMENTAL	
17	STEWA	ARDSHIP PROGRAM TO REWARD	
18	ORGAN	NIZATIONS THAT USE ENVIRONMENTAL	
19	MANAC	GEMENT PLANS AND DEMONSTRATE	
20	EXCE	PTIONAL, SUSTAINED ENVIRONMENTAL	
21	PERFO	DRMANCE.	
22			
23			
24	BE IT ENACTED BY THE G	ENERAL ASSEMBLY OF THE STATE OF ARE	KANSAS:
25			
26	SECTION 1. Arka	nsas Code Title 8, Chapter 1, Subci	hapter 2, is amended
27	to add an additional s	section to read as follows:	
28	<u>8-1-206. Volunt</u>	ary environmental stewardship progr	<u>ram — Definitions.</u>
29	(a) As used in	this section:	
30	<u>(1) "Envi</u>	ronmental laws" means this title an	nd any regulations,
31	permits, and orders adopted or issued under this title;		
32	(2) "Environmental management system" means a set of documented		
33	processes and practices that enable an organization to reduce its		
34	environmental impact and increase operating efficiency by continuously		
35	improving its environmental performance;		
36	<u>(3) "Envi</u>	ronmental performance" means the ex	<u>ffect of a facility</u>



As Engrossed: S3/20/17 SB654

1	or activity on air, water, land, natural resources, or human health and the
2	generation of waste by a facility or activity; and
3	(4)(A)(i) "Organization" means a company, corporation, political
4	subdivision, firm, enterprise, or institution, or any part or combination,
5	whether incorporated or not, public or private, that has its own functions
6	and administration.
7	(ii) For an organization with more than one (1)
8	operating unit, a single operating unit may be treated as an organization.
9	(B) "Organization" includes persons or entities regulated
10	by the Arkansas Department of Environmental Quality and those not regulated
11	by the department.
12	(b)(1) The Director of the Arkansas Department of Environmental
13	Quality may develop, implement, and administer a voluntary environmental
14	stewardship program.
15	(2) The voluntary environmental stewardship program shall
16	provide recognition for those organizations that have a history of sustained
17	compliance with environmental law requirements or organizations that go above
18	and beyond environmental law requirements.
19	(3) At the discretion of the director, the voluntary
20	environmental stewardship program shall provide incentives for organizations
21	that demonstrate sustained compliance with environmental laws or go above and
22	beyond environmental law requirements to include without limitation:
23	(A) Reduced inspection frequency;
24	(B) Reduced reporting requirements; or
25	(C) Advanced notification of inspections and enforcement
26	<u>rulings.</u>
27	(4) The voluntary environmental stewardship program shall
28	include tiers commensurate with and appropriate to the environmental impacts
29	of an organization's facilities, activities, products, or services, and be
30	based on an organization's level of commitment to the voluntary environmental
31	stewardship program.
32	(c)(1) Participation in the voluntary environmental stewardship
33	program by any organization is voluntary.
34	(2) The department shall approve an organization's membership in
35	the voluntary environmental stewardship program and shall review the
36	organization's membership at least one (1) time every three (3) years.

As Engrossed: S3/20/17 SB654

1	(3) Membership and tier level assignment shall be based on the
2	organization's commitment to:
3	(A) Sustained compliance with environmental laws and
4	history of compliance with environmental laws;
5	(B) Develop, implement, and maintain an environmental
6	management system;
7	(C) Going above and beyond the requirements of
8	environmental laws;
9	(D) Pollution prevention and improving its environmental
10	performance; and
11	(E) Reporting to the department on its environmental
12	performance annually.
13	(d)(l) Membership in the voluntary environmental stewardship program
14	is not a license or permit under this title.
15	(2) The denial or approval of membership is not an appealable
16	action or an action against the organization under this title.
17	(e) This section does not permit the violation of state or federal
18	<u>laws.</u>
19	
20	/s/D. Sanders
21	
22	
23	APPROVED: 04/04/2017
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	