

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 262

5 By: Senator Hester
6 By: Representative Eaves
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LICENSING OF OPERATORS OF SOLID
10 WASTE MANAGEMENT FACILITIES; TO CLARIFY THE NUMBER,
11 QUALIFICATIONS, AND TERMS OF LICENSING COMMITTEE
12 MEMBERS; TO ALLOW FOR BIENNIAL LICENSE RENEWAL; TO
13 ADDRESS RECIPROCITY FOR LICENSED OUT-OF-STATE SOLID
14 WASTE MANAGEMENT FACILITY OPERATORS WHO MOVE TO
15 ARKANSAS; AND FOR OTHER PURPOSES.
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Subtitle

18 TO AMEND THE LICENSING OF OPERATORS OF
19 SOLID WASTE MANAGEMENT FACILITIES; TO
20 AMEND THE LICENSING COMMITTEE; TO ALLOW
21 FOR BIENNIAL LICENSE RENEWAL; AND TO
22 ADDRESS RECIPROCITY IN ARKANSAS.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 8-6-904(a)(2), concerning the membership of
29 the licensing committee that advises and assists in the administration of the
30 licensing of operators of solid waste management facilities, is amended to
31 read as follows:

32 (2) The committee shall be composed of ~~ten (10)~~ seven (7) voting
33 members as follows:

34 (A) Three (3) members, to be appointed by the commission,
35 shall be solid waste management facility operators licensed by the division;

36 (B) One (1) member, to be appointed by the commission,



1 shall be an employee of a county operating a solid waste management facility
2 who holds the position of solid waste management facility on-site operator or
3 supervisor;

4 (C) One (1) member, to be appointed by the commission,
5 shall be an employee of a municipality operating a sanitary landfill who
6 holds the position of landfill on-site operator or supervisor;

7 (D) One (1) member, to be appointed by the commission,
8 shall be a representative of one (1) of the duly constituted regional solid
9 waste management boards;

10 (E) ~~One (1) member, to be appointed by the commission,~~
11 ~~shall be an on-site operator or supervisor of a waste tire processing~~
12 ~~facility;~~

13 ~~(F)~~ One (1) member, to be appointed by the commission,
14 shall be an on-site operator or supervisor of a nonsegregated materials
15 recovery, transfer, or composting facility;

16 ~~(G)~~(F) One (1) member, to be appointed by the commission,
17 shall be a ~~faculty member of or other qualified person associated with an~~
18 ~~accredited college, university, or professional school in this state whose~~
19 ~~major field is related to environmental education~~ representative of a
20 designated Solid Waste Operator training academy and shall serve ex officio
21 with no vote; and

22 ~~(H)~~(G) One (1) member, to be appointed by the Director of
23 the Division of Environmental Quality, shall be a qualified member of his or
24 her staff who shall serve ex officio with no vote as executive secretary of
25 the committee.

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27 SECTION 2. Arkansas Code § 8-6-904(b)(2)(A), concerning the term of a
28 nonstate agency member, is amended to read as follows:

29 (2)(A) ~~As of August 12, 2006, no~~ A nonstate agency member shall
30 not serve more than two (2) consecutive three-year terms.

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32 SECTION 3. Arkansas Code § 8-6-908(a)(3), concerning the term that an
33 operator license is valid, is amended to read as follows:

34 (3) Licenses shall be valid for a period of ~~one (1) year~~ two (2)
35 years and, ~~with the exception of the apprenticeship license,~~ shall be
36 renewable upon application if the applicant meets the renewal requirements

1 established by commission rule. Provisional certificates shall be for a
2 period of one (1) year, but may be extended if the director determines there
3 is sufficient justification.

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5 SECTION 4. Arkansas Code § 8-6-908(c), concerning waiver of the
6 license requirements by the Director of the Division of the Environmental
7 Quality, is amended to read as follows:

8 (c) The director may, at his or her discretion, waive the requirements
9 or any part of the requirements for formal examination of an applicant for a
10 license if the applicant holds a ~~valid license or certificate from another~~
11 ~~state in which the requirements for a license in the appropriate~~
12 ~~classification are at least equal to the requirements set forth in this~~
13 ~~subchapter and the rules issued pursuant thereto~~ substantially equivalent
14 solid waste management facility operator's license issued by another state,
15 territory, or district of the United States in accordance with § 17-1-106.

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17 SECTION 5. Arkansas Code § 8-6-909(a), concerning the fees for
18 administrative costs of the licensing of operators of solid waste management
19 facilities, is amended to read as follows:

20 (a) The Arkansas Pollution Control and Ecology Commission shall have
21 the authority to set fees in an amount to cover the cost of the
22 administration of this subchapter. These fees to be assessed per
23 classification of certification shall not exceed fifty dollars (\$50.00) for
24 the initial cost of ~~examination~~ a testing application and license, fifty
25 dollars (\$50.00) for the cost of reciprocity review and license, twenty-five
26 dollars (\$25.00) annually to be paid on a biennial basis at the time of ~~for~~
27 ~~annual~~ license renewal, twenty-five dollars (\$25.00) for provisional
28 certificates, and a ~~ten-dollar~~ penalty of ten dollars (\$10.00) for late
29 renewal.

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32 **APPROVED: 4/20/21**