

**Hall of the House of Representatives**  
89th General Assembly - Regular Session, 2013  
**Amendment Form**

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**Subtitle of House Bill No. 1687**

TO STREAMLINE THE PROCESS FOR REVIEW OF CERTAIN DETERMINATIONS OF THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION; AND TO MAKE CONFORMING CHANGES.

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**Amendment No. 1 to House Bill No. 1687**

Amend House Bill No. 1687 as originally introduced:

Page 2, line 2, delete "~~be stayed;~~" and substitute "be stayed;"

AND

Page 2, line 3, delete "~~and:~~"

AND

Page 2, delete lines 4 through 7

AND

Page 2, line 8, delete "(C)" and substitute "(C)(i)"

AND

Page 2, line 11, delete "~~party-; and~~" and substitute "party."

AND

Page 2, delete lines 12 through 24, and substitute the following:

"(ii) As used in subdivision (c)(6)(C)(i) of this section, "substantial prejudice" means that the following will occur to the party seeking a stay, a modification of the terms of a stay, or the termination of a stay if the request is denied:

(a) Actual harm to health; or

(b) Adverse economic impact, including without limitation interruption, curtailment, or deferral of business or increased cost of construction or operation;

(D) Upon application by a party for a stay, to modify the terms of a stay, or to terminate a stay, the chair of the commission shall:



(i) Grant a temporary stay, modify the terms of a stay, or terminate a stay effective until the earlier of the next regularly scheduled commission meeting or the next special meeting called for the purpose of considering the application; or

(ii) Place the application on the agenda for the next regularly scheduled commission meeting or call a special commission meeting for the purpose of considering the application if more than thirty (30) days will pass between the receipt of the application and the next regularly scheduled commission meeting; and

(E) Notwithstanding subdivision (c)(6)(D) of this section, the commission shall render a final decision on an application to provide for a stay, modify the terms of a stay, or terminate a stay within thirty (30) days of receipt of the application."

The Amendment was read \_\_\_\_\_

By: Representative Branscum  
JLL/JLL - 03-18-2013 09:06:03  
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Chief Clerk