

ARKANSAS SENATE
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of Senate Bill No. 599

"TO AMEND THE ARKANSAS HAZARDOUS WASTE MANAGEMENT ACT TO CLARIFY
THAT THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY HAS
AUTHORITY TO REQUIRE CORRECTIVE ACTION AT PERMITTED AND INTERIM
STATUS FACILITIES."

Amendment No. 1 to Senate Bill No. 599.

Amend Senate Bill No. 599 as originally introduced:

Page 1, line 11, insert the phrase "OF 1979" between the word "ACT" and the word "TO"

AND

Page 1, line 19, insert the phrase "OF 1979" between the word "ACT" and the word "TO"

AND

Page 1, delete line 28 and substitute the following:

"SECTION 1. Arkansas Code Title 8, Chapter 7, Subchapter 2 is amended to add an additional"

AND

Page 2, line 1, delete the word "such" and substitute the word "the"

AND

Page 2, delete lines 3 through 5 and substitute the following:

"schedules of compliance for the corrective action when the corrective action cannot be completed prior to issuance of the permit and assurances of financial responsibility for completing the corrective action."

AND



Page 2, line 7, delete the word "where" and substitute the word "when"

AND

Page 2, line 10, delete the word "director" and substitute the phrase "Director of the Arkansas Department of Environmental Quality"

AND

Page 2, line 11, delete the word "such" and substitute the word "the"

AND

Page 2, delete lines 13 through 29 and substitute the following:

"(b)(1) Whenever the director determines that there is or has been a release of hazardous waste into the environment from a facility authorized to operate under interim operating authority pursuant to this subchapter, the director may:

(A) Issue an order requiring corrective action or such other response measure as the director deems necessary to protect human health or the environment; or

(B) Commence a civil action in the circuit court in the county in which the facility is located for appropriate relief, including a temporary or permanent injunction.

(2)(A) Any order issued under this subsection:

(i) Shall state with reasonable specificity the nature of the required corrective action or other response measure;

(ii) Shall specify a time for compliance; and

(iii) May include a suspension or revocation of the interim authority to operate under this subchapter.

(B) If any person named in an order issued under this section fails to comply with the order, the director may assess a civil penalty in an amount not to exceed twenty-five thousand dollars (\$25,000) for each day of noncompliance with the order."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Womack
SFI/SFI - 02-28-2005 13:31
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Secretary