

ARKANSAS SENATE
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of House Bill No. 1753

"TO AMEND THE ARKANSAS SEWAGE DISPOSAL SYSTEMS ACT."

Amendment No. 1 to House Bill No. 1753.

Amend House Bill No. 1753 as engrossed, H3/12/07 (version: 03-12-2007 11:03):

Add an additional section to the bill to read as follows:

"SECTION 5. Arkansas Code § 14-236-111 is amended to read as follows:
14-236-111. Review of proposals and inspections.

(a) The Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services or its authorized agent is authorized and directed to review proposals for individual sewage disposal systems and to make inspections of individual sewage disposal systems as may be necessary to determine substantial compliance with this chapter and regulations adopted hereunder. The systems shall not be used unless a permit for operation has been approved by the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services or its authorized agent.

(1) In the event that an authorized agent has not been designated for a county or municipality or locality, applications for individual sewage disposal systems shall be made to the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services.

(2) ~~Upon the basis of inspections, the~~ The Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services or its authorized agent shall either approve or disapprove the individual sewage disposal system design, and, if disapproved, the system shall not be ~~used~~ installed until all deficiencies are corrected and the ~~system reinspected and~~ design approved by the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services or its authorized agent.

(b) It shall be the duty of the ~~holder of a permit issued pursuant to this section~~ installer to notify the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services, its authorized agent, or his or her designated representative when the installation is ~~ready for inspection to occur~~ and it shall be the duty of the owner or occupant of the property to give the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services, its



authorized agent, or his or her designated representative free access to the property at reasonable times for the purpose of making such inspections as are necessary.

~~(c) In the event an inspection is not made within two (2) working days from the date of notification to the Division of Sanitarian Services of the Department of Health, its authorized agent, or his designated representative that the installation is completed and ready for inspection, the system shall be deemed approved. Within five (5) working days, the installer shall certify to the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services that the system has been installed pursuant to the approved permit.~~

(d) Any person aggrieved by the disapproval of an individual sewage disposal installation system shall be afforded review as provided in the Arkansas Administrative Procedure Act, § 25-15-201 et seq."

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

By: Senator Madison

KLL/YTC - 03-21-2007 08:38

KLL343

Secretary