Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

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Subtitle of House Bill No. 1550

TO AMEND THE LAW CONCERNING NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS

AND THE NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS TRUST FUND.

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Amendment No. 1 to House Bill No. 1550

Amend House Bill No. 1550 as originally introduced:

Page 2, delete line 6, and substitute the following:
"city, town, or county, or sewer improvement district that treats, in whole or"

AND

Page 2, delete lines 10 through 16, and substitute the following:
    "(C) The following are specifically exempted from the requirements of this section subsection:
    (i) State or federal facilities;
    (ii) Schools;
    (iii) Universities and colleges; and
    (iv) Entities that continuously operate due to a connection with a city, town, or county, or sewer improvement district; and
    (v) A commercial or industrial entity that treats domestic sewage from its operations and does not accept domestic sewage from other entities or residences."

AND

Page 3, line 10, delete "actual flow" and substitute "actual flow design treatment capacity"

AND

Page 3, delete line 21, and substitute the following:
"section.
    (c) The initial trust fund contribution fee required by the department for modifications to existing nonmunicipal domestic sewage treatment works is the combined total of two dollars ($2.00) per gallon per day of net increase in design treatment capacity plus fifty percent (50%) of the five-year operation and maintenance cost estimate

required under subdivision (b)(1)(D)(i) of this section.

        (d) The department may reduce the initial trust fund contribution fee if:

         (1) The nonmunicipal domestic sewage treatment works is subject to an enforcement action; and

         (2) The corrective actions approved by the department would require the nonmunicipal domestic sewage treatment works to make an initial trust fund contribution."

AND

Page 4, delete lines 33 through 36

AND

Page 5, delete lines 1 and 2

AND

Page 5, delete lines 7 through 19, and substitute the following:

  "(9)(A) The director or the director's designee may send a signed statement to each water service provider that serves all or a portion of the service area of a nonmunicipal domestic sewage treatment works certifying that that the director finds that the nonmunicipal domestic sewage treatment works:

    (i) Is the subject of an enforcement action by the department;

    (ii) Has not complied with the requirements of this section, including payment of the nonmunicipal domestic sewage treatment works trust fund contribution; or

    (iii) Otherwise failed to comply with its permit.

  (B) The department shall include a legal description of the service area for the nonmunicipal domestic sewage treatment works with the signed statement under subdivision (b)(9)(A) of this section.

  (C) Upon receipt of a signed statement that includes a legal description of the service area for the nonmunicipal domestic sewage treatment works, the water service provider shall not establish new connections or initiate service to existing connections for water service in the service area of the nonmunicipal domestic sewage treatment works as defined by the legal description.

  (D) If the director or the director's designated representative finds that the nonmunicipal domestic sewage treatment works is no longer subject to an enforcement action or has remedied the noncompliance that formed the basis for the signed statement under subdivision (b)(9)(A) of this section, the director or the director's designated representative shall send a signed statement of the finding to each water service provider that received the prior statement.

  (E) Upon receipt of the signed statement required under subdivision (b)(9)(D) of this section, the water service provider may resume installation of new connections or resume initiation of service to existing connections for water service."

AND

Page 5, delete lines 24 through 26, and substitute the following:
"(3) The fund may be used by the Arkansas Department of Environmental Quality to do the following:
            (A) Provide reimbursement to a nonmunicipal domestic sewage treatment works under § 8-4-203(b);
            (B) Provide technical support to nonmunicipal domestic sewage treatment works to promote adequate operation, maintenance, or completed closure of a facility; and
            (C) Pay reasonable costs and expenses of the department for administering the Nonmunicipal Domestic Sewage Treatment Works Trust Fund."

The Amendment was read _____
By: Representative Davis
MGF/TDW - 02-28-2017 09:20:04   _____
MGF155   **Chief Clerk**