

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of Senate Bill No. 364

TO SIMPLIFY AND MODERNIZE THE NOTICE REQUIREMENTS FOR PERMITS ISSUED BY THE
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY.

Amendment No. 1 to Senate Bill No. 364

Amend Senate Bill No. 364 as originally introduced:

Page 1, delete lines 10 through 12, and substitute the following:
"DEPARTMENT OF ENVIRONMENTAL QUALITY; TO ALLOW ELECTRONIC NOTICE FOR MATTERS
RELATED TO PENDING AND FINAL PERMITTING DECISIONS; AND"

AND

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 8-4-203(d)(3), concerning permits issued
by the Arkansas Department of Environmental Quality, is amended to read as
follows:

(3)(A) If the department determines that a hearing is necessary
or desires such a hearing, the department shall schedule a public hearing
~~and.~~

(B)(i) If the department schedules a public hearing, the
department shall notify by first class mail the applicant and all persons
~~that who~~ have submitted comments of the date, time, and place of the public
hearing.

(ii) The notice shall be provided using one (1) of
the following methods based on the contact information available for the
applicant or the person and the Director of the Arkansas Department of
Environmental Quality discretion:

(a) First class mail; or

(b) Electronic mail.

SECTION 2. Arkansas Code § 8-4-203(e)(1)(C), concerning permits issued
by the Arkansas Department of Environmental Quality, is amended to read as
follows:

(C)(i) At the conclusion of the public comment period, the
department shall ~~announce in writing its~~ provide a final written permitting
decision regarding the permit application.

(ii) The final written permitting decision shall be
published on the department's website.



(iii) The department shall provide the applicant the final permitting decision using one (1) of the following methods based on the contact information available and the director's discretion:

(a) First class mail; or

(b) Electronic mail.

(iv) The department shall provide notice of the final permitting decision to all persons who have submitted comments using one (1) of the following methods based on the contact information available and the director's discretion:

(a) First class mail; or

(b) Electronic mail.”

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

By: Senator D. Sanders

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Secretary