1		INTERIM STUDY PROPOSAL 2011-042	2
2	State of Arkansas	As Engrossed: H3/11/11 H3/15/11	
3	88th General Assembly	A Bill	
4	Regular Session, 2011		HOUSE BILL 1395
5			
6	By: Representatives Leding,	Webb	
7	Filed with: Int	terim House Committee on Agriculture, Fore	stry and Economic Development
8			pursuant to A.C.A. §10-3-217.
9		For An Act To Be Entitled	
10	AN ACT TO	PROTECT AIR QUALITY IN THE VICIN	IITY OF
11	NATURAL G	AS DRILLING FIELDS; AND FOR OTHER	PURPOSES.
12			
13			
14		Subtitle	
15	AN A	ACT TO PROTECT AIR QUALITY IN THE	
16	VICI	NITY OF NATURAL GAS DRILLING FIEI	LDS.
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18			
19	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF	ARKANSAS:
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21		ansas Code Title 15, Chapter 72,	Subchapter 2 is amended
22		tions to read as follows:	
23	-	raulic fracturing treatment — Air	
24		llution Control and Ecology Commi	<u>ssion shall initiate</u>
25	_	<i>ective date of this act to:</i>	
26		ire that an oil and gas developer	-
27		reduce or eliminate air emissions	<u>s during gas drilling,</u>
28		ation, and waste disposal; and	
29		Require an oil and gas develope	-
30		ollutants regulated under either	<u>the Clean Air Act, 42</u>
31	<u>U.S.C. § 7401 et seq.</u>		
32		(a) A drill pad is with	<u>in one thousand feet</u>
33	<u>(1,000') of a habitab</u>		
34 25		<u>(b) The Arkansas Depart</u>	
35		at there is a reasonable risk of	-
36	<u>lie cumulative effect</u>	of multiple wells located in the	e same geographic area.

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1	(ii) The Arkansas Department of Environmental		
2	Quality shall:		
3	(a) Treat the source for permitting purposes		
4	consistent with the federal aggregation definitions under 40 C.F.R.		
5	<u>52.21(b)(6); and</u>		
6	(b) Rescind general compressor permit 1868-		
7	AGP-00 unless it can establish that all compressors are permitted consistent		
8	with these factors.		
9	(B) The department may lower by regulation the amount of		
10	air pollutants that trigger the air permit requirement;		
11	(3)(A) Develop a program for estimating the emissions of		
12	criteria and hazardous air pollutants from the entire gas development sector		
13	including mobile sources.		
14	(B) Mobile sources shall include without limitation:		
15	<u>(i) Drill rigs;</u>		
16	(ii) Diesel trucks;		
17	(iii) Hydraulic fracturing pumps;		
18	(iv) Well completions;		
19	<u>(v) Pipelines;</u>		
20	<u>(vi) Valves;</u>		
21	<u>(vii) Dehydrators;</u>		
22	(viii) Compressors; and		
23	<u>(ix) Tanks;</u>		
24	(4)(A) Require the Arkansas Department of Environmental Quality		
25	to provide additional air monitoring to residents with complaints about air		
26	quality within ten (10) days if the department determines there is a		
27	reasonable risk of air emission standards being violated.		
28	(B) The department shall make all reasonable efforts to		
29	provide additional air monitoring within forty-eight (48) hours if the		
30	alleged air quality violations are reasonably suspected to be caused by		
31	short-term activities such as hydraulic fracturing; and		
32	(5) Require the Arkansas Department of Environmental Quality to		
33	evaluate its network of air monitors and ensure that permanent air monitors		
34	sufficient to protect the public health and the environment are located in		
35	the counties where natural gas development is occurring.		
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1	15-72-221. Powers and duties.
2	(a) The Arkansas Pollution Control and Ecology Commission has the
3	authority and the affirmative duty under the Arkansas Water and Air Pollution
4	Control Act, Arkansas Code § 8-4-101 et seq., to make rules to prevent any
5	person, including the owner, operator, or contractor involved in oil and gas
6	operations, from causing air pollution, as prohibited by Arkansas Code § 8-4-
7	<u>310(a)(1);</u>
8	(b) Gas production activities can cause significant air pollution, in
9	part because many individual relatively minor sources such as individual
10	wells in a field may combine to be a cumulatively major source of air
11	pollution; and
12	(c) Air pollution from major sources and cumulatively major sources
13	must be controlled to protect public health and the environment.
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15	/s/Webb
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17	Referred by the Arkansas House of Representatives
18	Prepared by: MGF/VJF
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