

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1612

By: Representatives Mahony and Newman

"AN ACT TO AMEND SECTION 11 OF ACTS 1939, NO. 105, AS AMENDED, TO SPECIFICALLY PROVIDE THAT THE OIL AND GAS COMMISSION SHALL HAVE EXCLUSIVE JURISDICTION FOR THE ADMINISTRATION AND ENFORCEMENT OF ALL APPLICABLE LAWS, RULES AND REGULATIONS RELATING TO OR PROMULGATED UNDER THE UNDERGROUND INJECTION CONTROL PROGRAM FOR CLASS II AND V BROMINE RELATED BRINE DISPOSAL WELLS AND TO REPEAL ALL LAWS OR PARTS THEREOF IN CONFLICT THEREWITH."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Paragraph 0 of Section 11 of Act 105 of 1939, as amended, the same being Arkansas Statutes Section 53-111(0.) is hereby amended to read as follows:

"0. To acquire primary enforcement responsibility either singularly or jointly with the Department of Pollution Control and Ecology for the Control of Underground Injection under the applicable provisions of the Safe Drinking Water Act, Pub. L. 93-523, as amended [42 U.S.C. § 300f et seq.]; provided, however, that the Commission shall have exclusive administrative management responsibility for the issuance of construction and operating permits for Class II and Class V bromine related brine disposal wells and shall be singularly responsible for enforcement in respect to all Class II wells. Enforcement action with respect to all Class V bromine related brine injection wells shall be coordinated between the Commission and the Arkansas Department of Pollution Control and Ecology."

SECTION 2. Those portions of Act 472 of 1949, as amended, and those portions of Act 406 of 1979, as amended, in conflict with this Act are hereby repealed and all other laws and parts of laws in conflict therewith are hereby

repealed.

SECTION 3. It is hereby found and determined by the General Assembly that the best interests of the State of Arkansas can be served by the enactment of this legislation, and this Act being necessary for the continued operation of the Oil and Gas Commission should be immediately effective. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

