

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

497

By: Senator Gordon

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE §8-4-309 TO GRANT JURISDICTION AND AUTHORITY TO THE ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY OVER AIR CONDITIONS ASSOCIATED WITH THE HANDLING OF ASBESTOS MATERIALS, REGARDLESS OF WHETHER SUCH HANDLING OCCURS WITHIN THE PROPERTY BOUNDARIES OF ANY PLANT, WORKS, OR SHOP; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code §8-4-309 is hereby amended to read as follows:

"8-4-309. Construction limited; exception.

(a) Nothing contained in this subchapter shall be construed as amending or repealing §20-21-201 et seq., concerning the control of radiation, or as granting to the Arkansas Pollution Control and Ecology Commission any jurisdiction or authority with respect to air conditions existing solely within the property boundaries of any plant, works, or shop or with respect to employer-employee relationships as to health and safety hazards.

(b) Notwithstanding the preceding limitation, the Arkansas Pollution Control and Ecology Commission shall have jurisdiction and authority over air conditions associated with the removal, encapsulation, enclosure, transportation, or disposal of asbestos-containing material regardless of whether such removal, encapsulation, enclosure, transportation, or disposal is conducted within the property boundaries of any plant, works, or shop."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are

hereby repealed.