

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4
5 By: Senator Brown

A Bill

SENATE BILL 234

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 8-1-103(2) TO
10 AUTHORIZE THE COLLECTION OF FEES FOR POLLUTION PREVENTION
11 PLANS; TO CLARIFY THE AUTHORITY OF THE DEPARTMENT OF
12 POLLUTION CONTROL AND ECOLOGY TO ISSUE OPERATING PERMITS
13 IN SATISFACTION OF FEDERAL LAW; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT TO CLARIFY THE DEPARTMENT OF
16 POLLUTION CONTROL AND ECOLOGY_S
17 AUTHORITY TO COLLECT POLLUTION
18 PREVENTION PLAN FEES AND TO ISSUE
19 PERMITS IN SATISFACTION OF FEDERAL LAW."
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 Section 1. Arkansas Code § 8-1-103(2), pertaining to the powers of the
25 Department of Pollution Control and Ecology and the Pollution Control and
26 Ecology Commission, is amended by inserting an additional subsection at the
27 end thereof to read as follows:

28 "(D) Notwithstanding other provisions of this subchapter and other
29 applicable laws, the Commission is authorized to promulgate and the Department
30 is authorized collect annual fees from facilities electing to operate under
31 the terms and conditions of a Pollution Prevention Plan in lieu of an air
32 permit. The annual Pollution Prevention Plan fee shall be equal to the fee
33 otherwise applicable to facilities operating under an air permit."

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35 Section 2. Title 8, Chapter 4, Subchapter 3 of the Arkansas Code is
36 amended by inserting an additional section in the end thereof to read as

1 follows:

2 "8-4-315. The Department of Pollution Control and Ecology is authorized
3 to require, issue, and enforce operating permits for major sources in
4 satisfaction of Title V of the Clean Air Act Amendments of 1990."

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6 SECTION 3. All provisions of this act of a general and permanent nature
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
8 Revision Commission shall incorporate the same in the Code.

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10 SECTION 4. If any provision of this act or the application thereof to
11 any person or circumstance is held invalid, such invalidity shall not affect
12 other provisions or applications of the act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this
14 act are declared to be severable.

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16 SECTION 5. All laws and parts of laws in conflict with this act are
17 hereby repealed.

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