

State of Arkansas

*As Engrossed: S3/15/99*

82nd General Assembly

# A Bill

Regular Session, 1999

SENATE BILL 794

By: Senator Everett

## For An Act To Be Entitled

"AN ACT TO AMEND THE ARKANSAS QUARRY OPERATION,  
RECLAMATION AND SAFE CLOSURE ACT; AND FOR OTHER  
PURPOSES. "

## Subtitle

"TO AMEND THE ARKANSAS QUARRY OPERATION,  
RECLAMATION AND SAFE CLOSURE ACT. "

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

SECTION 1. Arkansas Code 15-57-403(j) is amended to read as follows:

"(j) Operator will give notice to the public in a local newspaper of  
general circulation that he intends to open or reactivate a quarry.

Said notification will be part of an operator's 'intent' and will be  
published in the newspaper at the same time the intent is filed with the  
department. Said notification will indicate the approximate location of quarry  
using section, township, and range plus a road address or identifiable local  
landmarks when possible, the date of 'start up' and the date operator plans to  
temporarily close, if applicable, as well as operator's name, address, phone  
number and contact person and it shall state that interested parties may  
contact the department for further information and that they have ten (10)  
days after publication of the notice to notify the department of any request  
for a public meeting. If the department receives at least five (5) requests  
for a public meeting from owners of property within one half (1/2) mile of the  
quarry, it may require that the operator hold a public meeting. This public  
meeting shall be held within two (2) weeks after the expiration of the ten  
(10) day public notice period. This meeting shall be held in a location near

1 the proposed quarry to allow the public to discuss their interests with the  
2 operator prior to start up. Proof of publication shall be provided to the  
3 department in the operator's notice of intent.

4 The operator will keep responses from the public on file for two (2)  
5 years. The department will forward responses it receives to the operator.

6 The operator will keep a record of all action taken resulting from  
7 public responses for two (2) years, notifying the department of each action."  
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9 SECTION 2. Arkansas Code 15-57-412(b) is amended to read as follows:

10 "(b) As of January 1, 1998, the reclamation bond required for  
11 acceptance of an operator's notice of intent to open a quarry, or to  
12 reactivate a quarry, will be ~~one thousand dollars (\$1,000)~~ one thousand one  
13 hundred dollars (\$1,100) per acre of affected land. The face value of the bond  
14 will be evaluated every five (5) years by the operator and a representative of  
15 the department."  
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17 SECTION 3. All provisions of this act of a general and permanent nature  
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
19 Revision Commission shall incorporate the same in the Code.  
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21 SECTION 4. If any provision of this act or the application thereof to  
22 any person or circumstance is held invalid, such invalidity shall not affect  
23 other provisions or applications of the act which can be given effect without  
24 the invalid provision or application, and to this end the provisions of this  
25 act are declared to be severable.  
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27 SECTION 5. All laws and parts of laws in conflict with this act are  
28 hereby repealed.

29 /s/ Everett  
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