

State of Arkansas  
83rd General Assembly  
Regular Session, 2001

# A Bill

SENATE BILL 970

By: Senator Gwatney

## For An Act To Be Entitled

AN ACT DIRECTING THE ARKANSAS DEPARTMENT OF  
ENVIRONMENTAL QUALITY TO DEVELOP A STATEWIDE  
SOLID WASTE MANAGEMENT PLAN; AND FOR OTHER  
PURPOSES.

## Subtitle

AN ACT DIRECTING THE ARKANSAS DEPARTMENT  
OF ENVIRONMENTAL QUALITY TO DEVELOP A  
STATEWIDE SOLID WASTE MANAGEMENT PLAN.

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

SECTION 1. Arkansas Code Title 8, Chapter 6 is amended to add an  
additional subchapter to read as follows:

8-6-1901. Title

This subchapter may be known and cited as the "Statewide Solid Waste  
Management Plan Act".

8-6-1902. Findings.

The General Assembly makes the following findings:

(1) The Arkansas Department of Environmental Quality has been charged  
by the General Assembly with the responsibility of developing a statewide  
solid waste management plan which, where feasible, gives emphasis to regional  
planning;

(2) The difficult task of addressing the complex solid waste needs of  
the state on a regional basis has been accomplished by creating regional  
solid waste management boards;

1       (3) The need for a Statewide Solid Waste Management Plan remains; and  
 2       (4) The development and implementation of a Statewide Solid Waste  
 3       Management Plan is necessary to protect the public health and the state's  
 4       environmental quality and maximize the efficiency of regional solid waste  
 5       management systems.

6  
 7       8-6-1903. Definitions.

8       As used in this subchapter, unless the context otherwise requires:

9       (1) "Board" or "regional board" means a regional solid waste management  
 10       board established pursuant to Title 8, Chapter 6, Subchapter 7;

11       (2) "Commission" means the Arkansas Pollution Control and Ecology  
 12       Commission; and

13       (3) "Department" means the Arkansas Department of Environmental  
 14       Quality.

15  
 16       8-6-1904. Statewide Solid Waste Management Plan.

17       (a) The Arkansas Department of Environmental Quality shall develop a  
 18       Statewide Solid Waste Management Plan to establish minimum requirements for  
 19       all regional solid waste management plans, including requirements for:

20               (1) Strategic planning;

21               (2) Reporting;

22               (3) Public notice and participation;

23               (4) Services; and

24               (5) Solutions to problems and issues.

25       (b) Each regional solid waste management board shall develop a solid  
 26       waste management plan, for departmental review and approval, that includes  
 27       the minimum requirements contained in the Statewide Solid Waste Management  
 28       Plan within one (1) year after the Statewide Solid Waste Management Plan  
 29       becomes final. This new plan shall replace any existing regional solid waste  
 30       management plan previously developed, pursuant to § 8-6-717.

31       (c) Failure of any regional solid waste management board to develop or  
 32       implement any requirement contained in the Statewide Solid Waste Management  
 33       Plan shall subject the regional solid waste management board to:

34               (1) The penalty and enforcement provisions contained in the  
 35       Arkansas Solid Waste Management Act, § 8-6-204; or

36               (2) Denial, discontinuation, or reimbursement of any funding

administered by the department to the regional solid waste management board.

(d) The Arkansas Pollution Control and Ecology Commission may adopt reasonable rules and regulations necessary to implement or effectuate the purposes and intent of this subchapter.