Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	A Bill	
2	85th General Assembly	A DIII	
3	Regular Session, 2005		HOUSE BILL 1468
4	Der Democratotico Decoment		
5	By: Representative Davenport		
6 7	By: Senator Baker		
7 8			
9		For An Act To Be Entitled	
10	AN ACT TO AMEND ARKANSAS CODE § 15-57-311 TO		
11	PROVIDE GENERAL PERMIT AUTHORITY FOR OPEN-CUT		
12	MINING OPERATIONS; AND FOR OTHER PURPOSES.		
13			
14		Subtitle	
15	AN ACT TO PROVIDE GENERAL PERMIT		
16	AUTHORITY FOR OPEN-CUT MINING		
17	OPERATIO	ONS.	
18			
19			
20	BE IT ENACTED BY THE GENE	ERAL ASSEMBLY OF THE STATE OF A	ARKANSAS:
21			
22	SECTION 1. Arkansa	as Code § 15-57-311, concerning	g applications, fees,
23	and bonds regarding permits to engage in open-cut mining, is amended to add		
24	an additional subsection	to read as follows:	
25	<u>(j)(1)(A)</u> After no	otice and opportunity for a pul	blic hearing, the
26	Arkansas Department of Er	nvironmental Quality may develo	op and issue general
27	permits for any category	of activities involving open-o	cut mining operations
28	<u>if the department determi</u>	ines that the activities in a o	category:
29	<u>(</u>	(i) Are similar in nature;	
30	<u>(</u>	(ii) Will cause only minimal t	temporary adverse
31	environmental effects if performed separately; and		
32	(iii) Will have only minimal cumulative adverse		
33	effects on the environmer	<u>it.</u>	
34		o qualify for inclusion under t	
35		a notice of intent and support:	ing documentation on
36	forms developed by the de	epartment.	



1	(C) Facilities and practices not qualifying for inclusion		
2	under the conditions of a general permit shall obtain an individual permit.		
3	(2) The Director of the Arkansas Department of Environmental		
4	Quality at his or her discretion may require an applicant to seek coverage		
5	under an individual permit.		
6	(3)(A) Unless extended by the director, no general permit issued		
7	under this subsection shall be effective for a period of more than five (5)		
8	years after the date of its issuance.		
9	(B) The general permit may be revoked or modified by the		
10	department, if after opportunity for a public hearing, the department		
11	determines that the activities authorized by the general permit:		
12	(i) May have an adverse impact on the environment;		
13	or		
14	(ii) Are more appropriately authorized by individual		
15	permits.		
16	(4) The Arkansas Pollution Control and Ecology Commission may		
17	promulgate rules necessary to implement and administer the provisions of this		
18	subsection.		
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