1	State of Arkansas	*As Engrossed: H3/16/11*
2	88th General Assembly	A Bill
3	Regular Session, 2011	HOUSE BILL 1399

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5   By: Representatives Pierce, Webb

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For An Act To Be Entitled

8   AN ACT TO CREATE THE RURAL GOOD NEIGHBOR ACT; AND FOR

9   OTHER PURPOSES.

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Subtitle

13   THE RURAL GOOD NEIGHBOR ACT.

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

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18   SECTION 1. Arkansas Code Title 15, Chapter 72, Subchapter 2 is amended

19 to add an additional section to read as follows:

20   15-72-220. Rural Good Neighbor Act -- Noise.

21   (a) The Arkansas Oil and Gas Commission shall initiate rulemaking by

22 July 30, 2011, to limit continuous noise from wells, compressor stations, or

23 drilling equipment within one thousand yards (1,000 yds.) of a habitable

24 dwelling to:

25   (1) Fifty-five (55) decibels during the day;

26   (2) Forty-five (45) decibels at night; or

27   (3) A lower threshold as determined to be necessary to protect

28 the health and rights of Arkansans.

29   (b) Rules developed by the commission under subsection (a) of this

30 section shall not impinge on a surface owner or surface tenant's right to

31 take legal action under the Arkansas nuisance laws for relief from the noise.

32   (c) A surface owner or surface tenant who prevails in a suit for

33 nuisance noise against a natural gas operator for well, compressor station,

34 or drilling equipment noise shall be entitled to compensation for all

35 reasonable legal fees and costs.

36   (d) A natural gas operator shall follow best noise management

1   *practices when building roads, pipelines, and drilling pads.*

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3   */s/Pierce*

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