

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4
5 By: Senator D. Sanders

A Bill

SENATE BILL 364

For An Act To Be Entitled

8 AN ACT TO SIMPLIFY AND MODERNIZE THE NOTICE
9 REQUIREMENTS FOR PERMITS ISSUED BY THE ARKANSAS
10 DEPARTMENT OF ENVIRONMENTAL QUALITY; TO ALLOW
11 ELECTRONIC NOTICE OF PERMITTING DECISIONS ON THE
12 DEPARTMENT'S WEBSITE WHEN ALLOWED BY FEDERAL LAW; AND
13 FOR OTHER PURPOSES.

Subtitle

17 TO SIMPLIFY AND MODERNIZE THE NOTICE
18 REQUIREMENTS FOR PERMITS ISSUED BY THE
19 ARKANSAS DEPARTMENT OF ENVIRONMENTAL
20 QUALITY.

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

25 SECTION 1. Arkansas Code § 8-4-203(d)(2), concerning permits issued by
26 the Arkansas Department of Environmental Quality, is amended to read as
27 follows:

28 (2) The notice required by subdivision (d)(1) of this section
29 shall:

30 (A) ~~advise~~ Advise that any interested person may request a
31 public hearing on the permit application by giving the department a written
32 request within ten (10) days of the publication of the notice; and

33 (B) Include the following information:

34 (i) The website address for a draft permitting
35 decision; and

36 (ii) Directions on how to receive notification of a



1 permitting decision for a pending application.

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SECTION 2. Arkansas Code § 8-4-203(e)(1)(A), concerning permits issued by the Arkansas Department of Environmental Quality, is amended to read as follows:

(e)(1)(A) Whenever the department proposes to grant or deny any permit application and after consideration of the public interest, ~~it~~ the Director of the Arkansas Department of Environmental Quality shall cause notice of ~~its~~ the proposed action to be published ~~in either~~ using one (1) of the following methods:

(i) ~~A~~ In a newspaper of general circulation in the county ~~in which~~ where the facility that is the subject of the application is located; ~~or~~

(ii) In the case of a statewide permit, in a newspaper of general circulation in the state; or

(iii) On the department's website unless prohibited by federal law.