

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1057 of the Regular Session

State of Arkansas  
91st General Assembly  
Regular Session, 2017

As Engrossed: S3/21/17  
**A Bill**

SENATE BILL 364

By: Senator D. Sanders

### For An Act To Be Entitled

AN ACT TO SIMPLIFY AND MODERNIZE THE NOTICE  
REQUIREMENTS FOR PERMITS ISSUED BY THE ARKANSAS  
*DEPARTMENT OF ENVIRONMENTAL QUALITY; TO ALLOW  
ELECTRONIC NOTICE FOR MATTERS RELATED TO PENDING AND  
FINAL PERMITTING DECISIONS; AND FOR OTHER PURPOSES.*

### Subtitle

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

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

*SECTION 1. Arkansas Code § 8-4-203(d)(3), concerning permits issued by the Arkansas Department of Environmental Quality, is amended to read as follows:*

*(3)(A) If the department determines that a hearing is necessary or desires such a hearing, the department shall schedule a public hearing ~~and.~~*

*(B)(i) If the department schedules a public hearing, the department shall notify ~~by first class mail~~ the applicant and all persons ~~that~~ who have submitted comments of the date, time, and place of the public hearing.*

*(ii) The notice shall be provided using one (1) of the following methods based on the contact information available for the applicant or the person and the Director of the Arkansas Department of*



Environmental Quality discretion:

(a) First class mail; or

(b) Electronic mail.

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

(C)(i) At the conclusion of the public comment period, the department shall ~~announce in writing its~~ provide a final written permitting decision regarding the permit application.

(ii) The final written permitting decision shall be published on the department's website.

(iii) The department shall provide the applicant the final permitting decision using one (1) of the following methods based on the contact information available and the director's discretion:

(a) First class mail; or

(b) Electronic mail.

(iv) The department shall provide notice of the final permitting decision to all persons who have submitted comments using one (1) of the following methods based on the contact information available and the director's discretion:

(a) First class mail; or

(b) Electronic mail.

/s/D. Sanders

**APPROVED: 04/06/2017**