

Stricken language would be deleted from and underlined language would be added to present law.
Act 858 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S3/20/17
A Bill

SENATE BILL 654

By: Senator D. Sanders

For An Act To Be Entitled

AN ACT TO CREATE THE VOLUNTARY ENVIRONMENTAL STEWARDSHIP PROGRAM TO REWARD ORGANIZATIONS THAT USE ENVIRONMENTAL MANAGEMENT PLANS AND DEMONSTRATE EXCEPTIONAL, SUSTAINED ENVIRONMENTAL PERFORMANCE; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE VOLUNTARY ENVIRONMENTAL STEWARDSHIP PROGRAM TO REWARD ORGANIZATIONS THAT USE ENVIRONMENTAL MANAGEMENT PLANS AND DEMONSTRATE EXCEPTIONAL, SUSTAINED ENVIRONMENTAL PERFORMANCE.

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

SECTION 1. Arkansas Code Title 8, Chapter 1, Subchapter 2, is amended to add an additional section to read as follows:

8-1-206. Voluntary environmental stewardship program – Definitions.

(a) As used in this section:

(1) “Environmental laws” means this title and any regulations, permits, and orders adopted or issued under this title;

(2) “Environmental management system” means a set of documented processes and practices that enable an organization to reduce its environmental impact and increase operating efficiency by continuously improving its environmental performance;

(3) “Environmental performance” means the effect of a facility



or activity on air, water, land, natural resources, or human health and the generation of waste by a facility or activity; and

(4)(A)(i) "Organization" means a company, corporation, political subdivision, firm, enterprise, or institution, or any part or combination, whether incorporated or not, public or private, that has its own functions and administration.

(ii) For an organization with more than one (1) operating unit, a single operating unit may be treated as an organization.

(B) "Organization" includes persons or entities regulated by the Arkansas Department of Environmental Quality and those not regulated by the department.

(b)(1) The Director of the Arkansas Department of Environmental Quality may develop, implement, and administer a voluntary environmental stewardship program.

(2) The voluntary environmental stewardship program shall provide recognition for those organizations that have a history of sustained compliance with environmental law requirements or organizations that go above and beyond environmental law requirements.

(3) At the discretion of the director, the voluntary environmental stewardship program shall provide incentives for organizations that demonstrate sustained compliance with environmental laws or go above and beyond environmental law requirements to include without limitation:

(A) Reduced inspection frequency;

(B) Reduced reporting requirements; or

(C) Advanced notification of inspections and enforcement rulings.

(4) The voluntary environmental stewardship program shall include tiers commensurate with and appropriate to the environmental impacts of an organization's facilities, activities, products, or services, and be based on an organization's level of commitment to the voluntary environmental stewardship program.

(c)(1) Participation in the voluntary environmental stewardship program by any organization is voluntary.

(2) The department shall approve an organization's membership in the voluntary environmental stewardship program and shall review the organization's membership at least one (1) time every three (3) years.

(3) Membership and tier level assignment shall be based on the organization's commitment to:

(A) Sustained compliance with environmental laws and history of compliance with environmental laws;

(B) Develop, implement, and maintain an environmental management system;

(C) Going above and beyond the requirements of environmental laws;

(D) Pollution prevention and improving its environmental performance; and

(E) Reporting to the department on its environmental performance annually.

(d)(1) Membership in the voluntary environmental stewardship program is not a license or permit under this title.

(2) The denial or approval of membership is not an appealable action or an action against the organization under this title.

(e) This section does not permit the violation of state or federal laws.

/s/D. Sanders

APPROVED: 04/04/2017