1 **State of Arkansas**

2 **78th General Assembly**

A Bill

3 **Regular Session, 1991**   **SENATE BILL**

4 **By: Senator Bookout**

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7 ## For An Act To Be Entitled

8   "AN ACT TO AMEND ARKANSAS CODE 8-7-905(d) TO PERMIT USE OF

9   FUNDS IN THE PETROLEUM STORAGE TANK TRUST FUND TO

10   REIMBURSE OWNERS AND OPERATORS FOR TESTING FOR SUSPECTED

11   LEAKS TO DETERMINE THE SOURCE; AND FOR OTHER PURPOSES."

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

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15   SECTION 1. Arkansas Code 8-7-905(d) is hereby amended by adding the

16 following paragraph:

17   "(5) To reimburse owners and operators in the vicinity of the release

18 for performing short-term testing and/or monitoring which is in addition to

19 that required by the Department's rules and regulations if the Department has

20 a reasonable basis for believing that such petroleum underground storage

21 tank(s) may be the source of the release. The owners and operators of

22 petroleum underground storage tanks (including out-of-service and

23 nonoperational) not found to be the source of the release and who cooperated

24 with the Department may apply to the Fund for reimbursement, for such testing

25 and monitoring costs (not including lost managerial time or loss of revenues

26 because of temporary business closure)."

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28   SECTION 2. All provisions of this act of a general and permanent nature

29 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

30 Revision Commission shall incorporate the same in the Code.

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32   SECTION 3. If any provision of this act or the application thereof to

33 any person or circumstance is held invalid, such invalidity shall not affect

34 other provisions or applications of the act which can be given effect without

35 the invalid provision or application, and to this end the provisions of this

1 act are declared to be severable.

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3   SECTION 4. All laws and parts of laws in conflict with this act are

4 hereby repealed.

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