

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

SENATE BILL 262

By: Senator Hester  
By: Representative Eaves

## For An Act To Be Entitled

AN ACT TO AMEND THE LICENSING OF OPERATORS OF SOLID WASTE MANAGEMENT FACILITIES; TO CLARIFY THE NUMBER, QUALIFICATIONS, AND TERMS OF LICENSING COMMITTEE MEMBERS; TO ALLOW FOR BIENNIAL LICENSE RENEWAL; TO ADDRESS RECIPROCITY FOR LICENSED OUT-OF-STATE SOLID WASTE MANAGEMENT FACILITY OPERATORS WHO MOVE TO ARKANSAS; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE LICENSING OF OPERATORS OF SOLID WASTE MANAGEMENT FACILITIES; TO AMEND THE LICENSING COMMITTEE; TO ALLOW FOR BIENNIAL LICENSE RENEWAL; AND TO ADDRESS RECIPROCITY IN ARKANSAS.

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

SECTION 1. Arkansas Code § 8-6-904(a)(2), concerning the membership of the licensing committee that advises and assists in the administration of the licensing of operators of solid waste management facilities, is amended to read as follows:

(2) The committee shall be composed of ~~ten (10)~~ seven (7) voting members as follows:

(A) Three (3) members, to be appointed by the commission, shall be solid waste management facility operators licensed by the division;

(B) One (1) member, to be appointed by the commission,



shall be an employee of a county operating a solid waste management facility who holds the position of solid waste management facility on-site operator or supervisor;

(C) One (1) member, to be appointed by the commission, shall be an employee of a municipality operating a sanitary landfill who holds the position of landfill on-site operator or supervisor;

(D) One (1) member, to be appointed by the commission, shall be a representative of one (1) of the duly constituted regional solid waste management boards;

~~(E) One (1) member, to be appointed by the commission, shall be an on-site operator or supervisor of a waste tire processing facility;~~

~~(F)~~ One (1) member, to be appointed by the commission, shall be an on-site operator or supervisor of a nonsegregated materials recovery, transfer, or composting facility;

~~(G)~~(F) One (1) member, to be appointed by the commission, shall be a ~~faculty member of or other qualified person associated with an accredited college, university, or professional school in this state whose major field is related to environmental education~~ representative of a designated Solid Waste Operator training academy and shall serve ex officio with no vote; and

~~(H)~~(G) One (1) member, to be appointed by the Director of the Division of Environmental Quality, shall be a qualified member of his or her staff who shall serve ex officio with no vote as executive secretary of the committee.

SECTION 2. Arkansas Code § 8-6-904(b)(2)(A), concerning the term of a nonstate agency member, is amended to read as follows:

(2)(A) ~~As of August 12, 2006, no~~ A nonstate agency member shall not serve more than two (2) consecutive three-year terms.

SECTION 3. Arkansas Code § 8-6-908(a)(3), concerning the term that an operator license is valid, is amended to read as follows:

(3) Licenses shall be valid for a period of ~~one (1) year~~ two (2) years and, ~~with the exception of the apprenticeship license,~~ shall be renewable upon application if the applicant meets the renewal requirements

established by commission rule. Provisional certificates shall be for a period of one (1) year, but may be extended if the director determines there is sufficient justification.

SECTION 4. Arkansas Code § 8-6-908(c), concerning waiver of the license requirements by the Director of the Division of the Environmental Quality, is amended to read as follows:

(c) The director may, at his or her discretion, waive the requirements or any part of the requirements for formal examination of an applicant for a license if the applicant holds a ~~valid license or certificate from another state in which the requirements for a license in the appropriate classification are at least equal to the requirements set forth in this subchapter and the rules issued pursuant thereto~~ substantially equivalent solid waste management facility operator's license issued by another state, territory, or district of the United States in accordance with § 17-1-106.

SECTION 5. Arkansas Code § 8-6-909(a), concerning the fees for administrative costs of the licensing of operators of solid waste management facilities, is amended to read as follows:

(a) The Arkansas Pollution Control and Ecology Commission shall have the authority to set fees in an amount to cover the cost of the administration of this subchapter. These fees to be assessed per classification of certification shall not exceed fifty dollars (\$50.00) for the initial cost of ~~examination~~ a testing application and license, fifty dollars (\$50.00) for the cost of reciprocity review and license, twenty-five dollars (\$25.00) annually to be paid on a biennial basis at the time of ~~for annual~~ license renewal, twenty-five dollars (\$25.00) for provisional certificates, and a ~~ten-dollar~~ penalty of ten dollars (\$10.00) for late renewal.