

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H1/18/23

A Bill

HOUSE BILL 1015

5 By: Representatives McGrew, L. Fite, *Bentley*
6 By: *Senator M. McKee*
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS WATER AND AIR POLLUTION
10 CONTROL ACT; TO EXEMPT CERTAIN PROPERTY OWNERS'
11 ASSOCIATIONS AND HOMEOWNERS' ASSOCIATIONS FROM
12 CERTAIN PERMIT ACTIONS RELATED TO NATIONAL POLLUTANT
13 DISCHARGE ELIMINATION SYSTEM PERMITS OR STATE PERMITS
14 FOR A NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS;
15 AND FOR OTHER PURPOSES.

Subtitle

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18 TO AMEND THE ARKANSAS WATER AND AIR
19 POLLUTION CONTROL ACT; AND TO EXEMPT
20 CERTAIN PROPERTY OWNERS' ASSOCIATIONS AND
21 HOMEOWNERS' ASSOCIATIONS FROM CERTAIN
22 WATER PERMIT ACTIONS.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 8-4-203(b)(1)(C), concerning exempted
29 entities from actions related to National Pollutant Discharge Elimination
30 System permits or state permits for a nonmunicipal domestic sewage treatment
31 works, is amended to read as follows:

32 (C) The following are specifically exempted from the
33 requirements of this subsection:

- 34 (i) State or federal facilities;
- 35 (ii) Schools;
- 36 (iii) Universities and colleges;



1 (iv) Entities that continuously operate due to
2 a connection with a city, town, or county; ~~and~~

3 (v) A commercial or industrial entity that
4 treats domestic sewage from its operations and does not accept domestic
5 sewage from other entities or residences; and

6 (vi) A property owners' association or
7 homeowners' association that operates a nonmunicipal domestic sewage
8 treatment works that services a population exceeding five thousand (5,000)
9 individuals.

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11 SECTION 2. Arkansas Code § 8-4-203(b)(1)(E)(i), concerning
12 nonmunicipal domestic sewage treatment works permits for property owners'
13 associations and homeowners' associations, is amended to read as follows:

14 (E)(i) Except as provided under ~~subdivision~~ subdivisions
15 (b)(1)(C)(vi) and (b)(1)(E)(ii) of this section, the division shall not
16 issue, renew, or transfer permit coverage for nonmunicipal domestic sewage
17 treatment works to property owners' associations or homeowners' associations
18 after January 1, 2018.

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20 /s/McGrew
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