

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1505

5 By: Representative Davis  
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## For An Act To Be Entitled

8 AN ACT TO CLARIFY THE DEFINITION OF AN NAAQS STATE  
9 IMPLEMENTATION PLAN; TO CLARIFY THE REQUIREMENT FOR  
10 WRITTEN EXPLANATIONS IN SUPPORT OF NAAQS  
11 IMPLEMENTATION PLANS; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO CLARIFY THE DEFINITION OF AN NAAQS  
16 STATE IMPLEMENTATION PLAN AND THE  
17 REQUIREMENT FOR WRITTEN EXPLANATIONS IN  
18 SUPPORT OF NAAQS IMPLEMENTATION PLANS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 8-4-303(11), concerning the definitions  
24 related to air pollution under the Arkansas Water and Air Pollution Control  
25 Act, is amended to read as follows:

26 (11) "NAAQS state implementation plan" means a state  
27 implementation plan that specifies measures to be used in the implementation  
28 of the state's duties under the Clean Air Act, ~~42 U.S.C. § 7401 et seq.~~ 42  
29 U.S.C. § 7410, for the attainment and maintenance of a specified National  
30 Ambient Air Quality Standard;  
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32 SECTION 2. Arkansas Code § 8-4-317(b)(1)(C), concerning a NAAQS state  
33 implementation plan under the Arkansas Water and Air Pollution Control Act,  
34 is amended to read as follows:

35 (C)(i) In the case of any emission limit, work practice or  
36 operational standard, environmental standard, analytical method, air



1 dispersion modeling requirement, or monitoring requirement that is  
2 incorporated as an element of the proposed state implementation plan  
3 submittal, the record of the proposed action shall include a written  
4 explanation of the rationale for the proposal, demonstrating the reasoned  
5 consideration of the factors in § 8-4-312 as applicable, the need for each  
6 measure in attaining or maintaining the National Ambient Air Quality  
7 Standards as applicable, and that any requirements or standards are based  
8 upon generally accepted scientific knowledge and engineering practices.

9 (ii) For any standard or requirement that is  
10 identical to the applicable Arkansas Pollution Control and Ecology Commission  
11 regulation or federal regulation, the demonstration required under  
12 subdivision (b)(1)(C)(i) of this section may be satisfied by reference to the  
13 regulation. In all other cases, the department shall provide its own  
14 justification with appropriate reference to the scientific and engineering  
15 literature considered or the written studies conducted by the department.