# 95th Arkansas General Assembly/Act 1009: Addressing Enforcement for Certain Types of Industrial Waste Disposal

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Act 1009 was signed by Governor Sanders which amends the Arkansas Water and Air Pollution Control Act to require revocation of a permit for the disposal of industrial waste in an agricultural or pastoral application for a certain number of violations. See Ark. Code Ann. § 8-4-103.

The lead sponsor for Act 1009 was Representative Brad Hall of Van Buren.

(m)(1) is added to Ark. Code § 8-4-103 and states in relevant part:

…If a person permitted to manage industrial wastewater residuals by land application violates a permit issued under this subchapter resulting in an over-application or a precipitation related surface land application, the Division of Environmental Quality shall assess the maximum allowable penalty as identified in subsection (c) of this section for each violation.

Surface land application is defined to include the:

…spraying, spreading, or incorporating of waste into or onto the land, excluding injection of waste into the land.

The Act also provides that the Arkansas Pollution Control and Ecology Commission is required to promulgate a rule to authorize no-discharge land application permits of industrial waste.

A copy of Act 1009 can be downloaded here.