

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

# A Bill

HOUSE BILL 1015

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5 By: Representatives McGrew, L. Fite  
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## For An Act To Be Entitled

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

## Subtitle

16  
17 TO AMEND THE ARKANSAS WATER AND AIR  
18 POLLUTION CONTROL ACT; AND TO EXEMPT  
19 CERTAIN PROPERTY OWNERS' ASSOCIATIONS AND  
20 HOMEOWNERS' ASSOCIATIONS FROM CERTAIN  
21 WATER PERMIT ACTIONS.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 8-4-203(b)(1)(C), concerning exempted  
28 entities from actions related to National Pollutant Discharge Elimination  
29 System permits or state permits for a nonmunicipal domestic sewage treatment  
30 works, is amended to read as follows:

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

- 33 (i) State or federal facilities;  
34 (ii) Schools;  
35 (iii) Universities and colleges;  
36 (iv) Entities that continuously operate due to



1 a connection with a city, town, or county; and

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

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

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

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