

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S3/20/17

A Bill

SENATE BILL 654

By: Senator D. Sanders

For An Act To Be Entitled

AN ACT TO CREATE THE VOLUNTARY ENVIRONMENTAL
STEWARDSHIP PROGRAM TO REWARD ORGANIZATIONS THAT USE
ENVIRONMENTAL MANAGEMENT PLANS AND DEMONSTRATE
EXCEPTIONAL, SUSTAINED ENVIRONMENTAL PERFORMANCE; AND
FOR OTHER PURPOSES.

Subtitle

TO CREATE THE VOLUNTARY ENVIRONMENTAL
STEWARDSHIP PROGRAM TO REWARD
ORGANIZATIONS THAT USE ENVIRONMENTAL
MANAGEMENT PLANS AND DEMONSTRATE
EXCEPTIONAL, SUSTAINED ENVIRONMENTAL
PERFORMANCE.

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

*SECTION 1. Arkansas Code Title 8, Chapter 1, Subchapter 2, is amended
to add an additional section to read as follows:*

8-1-206. Voluntary environmental stewardship program – Definitions.

(a) As used in this section:

*(1) “Environmental laws” means this title and any regulations,
permits, and orders adopted or issued under this title;*

*(2) “Environmental management system” means a set of documented
processes and practices that enable an organization to reduce its
environmental impact and increase operating efficiency by continuously
improving its environmental performance;*

(3) “Environmental performance” means the effect of a facility



1 or activity on air, water, land, natural resources, or human health and the
2 generation of waste by a facility or activity; and

3 (4)(A)(i) "Organization" means a company, corporation, political
4 subdivision, firm, enterprise, or institution, or any part or combination,
5 whether incorporated or not, public or private, that has its own functions
6 and administration.

7 (ii) For an organization with more than one (1)
8 operating unit, a single operating unit may be treated as an organization.

9 (B) "Organization" includes persons or entities regulated
10 by the Arkansas Department of Environmental Quality and those not regulated
11 by the department.

12 (b)(1) The Director of the Arkansas Department of Environmental
13 Quality may develop, implement, and administer a voluntary environmental
14 stewardship program.

15 (2) The voluntary environmental stewardship program shall
16 provide recognition for those organizations that have a history of sustained
17 compliance with environmental law requirements or organizations that go above
18 and beyond environmental law requirements.

19 (3) At the discretion of the director, the voluntary
20 environmental stewardship program shall provide incentives for organizations
21 that demonstrate sustained compliance with environmental laws or go above and
22 beyond environmental law requirements to include without limitation:

23 (A) Reduced inspection frequency;

24 (B) Reduced reporting requirements; or

25 (C) Advanced notification of inspections and enforcement
26 rulings.

27 (4) The voluntary environmental stewardship program shall
28 include tiers commensurate with and appropriate to the environmental impacts
29 of an organization's facilities, activities, products, or services, and be
30 based on an organization's level of commitment to the voluntary environmental
31 stewardship program.

32 (c)(1) Participation in the voluntary environmental stewardship
33 program by any organization is voluntary.

34 (2) The department shall approve an organization's membership in
35 the voluntary environmental stewardship program and shall review the
36 organization's membership at least one (1) time every three (3) years.

1 (3) Membership and tier level assignment shall be based on the
2 organization's commitment to:

3 (A) Sustained compliance with environmental laws and
4 history of compliance with environmental laws;

5 (B) Develop, implement, and maintain an environmental
6 management system;

7 (C) Going above and beyond the requirements of
8 environmental laws;

9 (D) Pollution prevention and improving its environmental
10 performance; and

11 (E) Reporting to the department on its environmental
12 performance annually.

13 (d)(1) Membership in the voluntary environmental stewardship program
14 is not a license or permit under this title.

15 (2) The denial or approval of membership is not an appealable
16 action or an action against the organization under this title.

17 (e) This section does not permit the violation of state or federal
18 laws.

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20 /s/D. Sanders
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