

# 94th Arkansas General Assembly/NPDES Permits: Property/Homeowner Associations Exemptions



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Representatives Lanny Fite and Richard McGrew have pre-filed House Bill 1015 which would amend Arkansas Code § 8-4-203(b)(1)(C).

This statutory provision provides certain exemptions from the Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) or state permits for nonmunicipal domestic sewage treatment works.

The legislation would add (vi) to the exemptions from (C):

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

The other currently exempted facilities include:

- i. State or federal facilities;
- ii. Schools;
- iii. Universities and colleges;
- iv. Entities that continuously operate due to a connection with a city, town, or county,
- v. A commercial or industrial entity that treats domestic sewage from its operations and does not accept domestic sewage from other entities or residences

Prefiling of bills and resolutions began on November 15th. The 94th Arkansas General Assembly regular session begins on January 9, 2023.

A copy of House Bill 1015 can be found [here](#).