



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

# Liquid Animal Waste Management Systems/Nutrient Management Plans: Legislation Introduced Transferring Agency Authority for Permitting/Freedom of Information Act Exemption

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House Bill (“HB”) 1706 and 1707 have been introduced which address issues associated with liquid waste management systems permitting and nutrient management plans.

Both bills are sponsored by Representative Vaught and Senator B. Johnson.

Nitrogen and phosphorus are nutrients that are necessary to support all lifeforms. However, the role of nitrogen and phosphorus in water pollution has been the subject of serious consideration by the United States Environmental Protection Agency and the states for a number of years. Excess nutrients can stimulate excess growth of algae. This can impair the various designated uses for waterbodies and also increase the organic matter which (when decomposed) can depress dissolved oxygen concentrations, harming aquatic life. As a result, there has been significant pressure to further address point source dischargers through Clean Water Act effluent limits and utilize other measures in the case of nonpoint sources such as poultry litter application.

HB1706 would amend Ark. Code Ann. 8-4-203(n) and (o). These provisions address permitting for liquid animal waste management systems. The bill would transfer the authority for permitting liquid animal waste management systems from the Arkansas Department of Energy & Environment to the Arkansas Department of Agriculture. A new section would be added to Ark. Code Ann. 15-20-102 titled “Liquid Waste Management Systems.”

HB1707 would amend the Arkansas Soil Nutrient Application and Poultry Litter Utilization Act. A subsection “(d)” would be added to Ark. Code Ann. § 15-20-1111 that would provide:

. . . A nutrient management plan or a poultry litter management plan 30 developed and approved under this subchapter is not a public record, shall 31 not be made available for public inspection, and is exempt from the Freedom 32 of Information Act of 1967, § 25-19-101 et seq.

Both bills have been referred to the House of Representatives Agriculture, Forestry and Economic Development Committee.

A copy of HB1706 can be downloaded [here](#) and HB1707[here](#).