

## 91st Arkansas General Assembly: Arkansas Voluntary Environmental Stewardship Program/Act 858



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Arkansas Governor Hutchinson recently signed into law Senate Bill 654 (now Act 858) which creates a “Voluntary Environmental Stewardship Program” (“Program”).

The bill was sponsored by Senator David Sanders.

The program would “reward organizations that use environmental management plans and demonstrate exceptional, sustained environmental performance.”

Act 858 would amend Arkansas Code Title 8 (Environmental Law) Chapter 1 (General Provisions). Subchapter 2 is amended to add an additional section that would provide the authority for the program.

The new section provides the Director of the Arkansas Department of Environmental Quality (“ADEQ”) the authority to develop, implement, and administer the program. The program is described as providing recognition for organizations that “have a history of sustained compliance with environmental law requirements or organizations that go above and beyond environmental law requirements.”

The Director is provided the authority to provide incentives for organizations that meet the above criteria which can include (without limitation):

- Reduced inspection frequency
- Reduced reporting requirements
- Advanced notification of inspections and enforcement rulings

The program is required to include tiers “commensurate with and appropriate to the environmental impacts of an organization’s facilities, activities, products, or services, and be based on an organization’s level of commitment to the voluntary environmental stewardship program.” The membership and tier level assignments are based on an organization’s commitment to statutory factors identified in the legislation.

Various terms such as “Environmental management system”, “Environmental performance”, and “Organization” are defined.

The legislation states that participation in the program is voluntary and does not constitute a license or permit.

[A copy of Act 858 can be downloaded here.](#)