

**MOTION TO ENFORCE THE PROVISIONS OF ACT 1345 OF 1995**

On April 17, 1995, the Honorable Jim Guy Tucker, Governor of the State of Arkansas, signed into law Act 1345 of 1995. This Act contains an emergency clause and is, therefore, in full force and effect.

Section 2 of Act 1345 of 1995 amends A.C.A. §15-57-310 by adding a new subsection. It reads, in part, as follows:

"(f)(2) There shall be no mining in streams designated as 'extraordinary resource waters' of the State as established in water quality standards duly promulgated by the Commission for all surface waters of the State of Arkansas."

Enforcement of A.C.A. §15-57-310(f)(2) should commence. The Arkansas Pollution Control and Ecology Commission ("Commission"), pursuant to its power under A.C.A. §8-1-203(b)(7), asks the Director of the Arkansas Department of Pollution Control and Ecology to take all necessary steps to enforce A.C.A. §15-57-310(f)(2). The Director should, by May 15, 1995, notify all stream gravel mining operators on streams designated as extraordinary resource waters to terminate their gravel mining operations in these streams. The Director is to provide a list of all gravel mining operators so notified to the Commission by its May 26, 1995, Commission meeting. The Director should take all necessary enforcement action against any gravel mining operators that do not stop gravel mining on streams designated as extraordinary resource waters.

COMMISSIONERS

WMB  
AC  
BHD  
DH  
JH  
JM  
B. Bush  
A. Carter  
M. Cooper  
B. Davis  
D. Hanby  
J. Hill  
J. Mobley

JSP  
STS  
HW  
REW  
DY  
J. Pascale  
J. Shannon  
H. Watkins  
R. Wilbourn  
W. Wright  
R. Young

J. Wilbourn  
Chairman

SUBMITTED BY: H. Watkins

PASSED: April 28, 1995