

US EPA ARCHIVE DOCUMENT

Historical and Statutory Notes

Section 25 of Laws 1992, c.398 provides for an effective date.

§ 2-2-102. Renumbered as Title 27A, § 2-10-308 by Laws 1994, c. 353, § 41, eff. July 1, 1994

§ 2-2-103. Attorney General as legal counsel

The Office of the Attorney General of this state shall serve as legal counsel for the Environmental Quality Board and shall assist the Board in the performance of its duties pursuant to the Environmental Quality Code.¹

Added by Laws 1993, c. 324, § 2, emerg. eff. June 7, 1993.

¹ Section 2-1-101 et seq. of this title.

§ 2-2-104. Board rules incorporating by reference federal provisions—No affect on rules from subsequent changes in federal provisions

Insofar as permitted by law and upon recommendation from the appropriate Council, rules promulgated by the Environmental Quality Board may incorporate a federal statute or regulation by reference. Any Board rule which incorporates a federal provision by reference incorporates the language of the federal provision as it existed at the time of the incorporation by reference. Any subsequent modification, repeal or invalidation of the federal provision shall not be deemed to affect the incorporating Board rule.

Added by Laws 1994, c. 353, § 3, eff. July 1, 1994.

PART 2. COUNCILS

§ 2-2-201. Advisory councils

A. There are hereby created:

1. The Water Quality Management Advisory Council;
2. The Hazardous Waste Management Advisory Council;
3. The Solid Waste Management Advisory Council;
4. The Radiation Management Advisory Council; and
5. The Laboratory Services Advisory Council.

B. 1. Each Council created pursuant to subsection A of this section shall consist of nine (9) members. Three members shall be appointed by the Governor, three members shall be appointed by the Speaker of the House of Representatives and three members shall be appointed by the President Pro Tempore of the Senate. The initial appointments for each gubernatorial and legislative member shall be for progressive terms of one (1) through three (3) years so that only one term expires each calendar year; subsequent appointments shall be for three-year terms. Members of the Advisory Councils shall serve at the pleasure of and may be removed from office by the appointing authority. Members shall continue to serve until their successors are appointed. Any vacancy shall be filled in the same manner as the original appointments. Five members shall constitute a quorum.

2. Each Council shall elect a chair and a vice-chair from among its members. Each Council shall meet as required for rule development, review and recommendation and for such other purposes specified by law. Special meetings may be called by the chair or by the concurrence of any three (3) members.

C. 1. All members of the Water Quality Management Advisory Council shall be knowledgeable of water quality and of the environment. The Council shall be composed as follows:

- a. the Governor shall appoint:
 - (1) one member representing
 - (2) one member representing
 - (3) one member representing
- b. the President Pro Tempore follows:
 - (1) one member representing
 - (2) one member representing
 - (3) one member representing
- c. the Speaker of the House of follows:
 - (1) one member representing
 - (2) one member representing
 - (3) one member representing

2. The jurisdictional areas of the W include Article VI of this chapter,¹ w and such other areas as designated by

D. 1. All members of the Hazard knowledgeable of hazardous waste a composed as follows:

- a. the Governor shall appoint
 - (1) one member representin
 - (2) one member representin
 - (3) one member representin
- b. the President Pro Tempor follows:
 - (1) one member representin
 - (2) one member representin
 - (3) one member representin
- c. the Speaker of the House c follows:
 - (1) one member representi
 - (2) one member representi
 - (3) one member representi

2. The jurisdictional areas of the shall include Article VII of this cha Program, and such other areas as de

E. 1. All members of the Solid knowledgeable of solid waste and of t follows:

- a. the Governor shall appoin
 - (1) one member represent
 - (2) one member shall be a
 - (3) one member represent
- b. the President Pro Tempc follows: