

**ARKANSAS SENATE**  
84th General Assembly - Regular Session, 2003  
**Amendment Form**

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**Subtitle of Senate Bill No. 939**

"AN ACT TO AMEND ARKANSAS CODE § 8-7- 1103 TO AUTHORIZE THE ARKANSAS  
DEPARTMENT OF ENVIRONMENTAL QUALITY TO PROVIDE LOANS AND GRANTS."

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**Amendment No. 1 to Senate Bill No. 939.**

Amend Senate Bill No. 939 as originally introduced:

Page 1, delete line 12 and substitute the following:

"GRANTS FOR THE ASSESSMENT, INVESTIGATION, AND REMEDIATION OF ABANDONED  
INDUSTRIAL, COMMERCIAL, OR AGRICULTURAL SITES; AND FOR OTHER PURPOSES."

AND

Delete everything after the enactment clause and substitute the following:

"SECTION 1. Arkansas Code § 8-7-1103 is amended to read as follows:  
8-7-1104. Voluntary cleanup process.

(a) The Arkansas Department of Environmental Quality shall have  
authority regarding a voluntary response program to provide the following:

- (1) Opportunities for technical assistance for voluntary  
response actions;
- (2) Adequate opportunities for public participation, including  
prior notice and opportunity for comment in appropriate circumstances, in  
selecting response actions;
- (3) Streamlined procedures to ensure expeditious voluntary  
response actions;
- (4) Oversight and enforcement authorities or other mechanisms  
that are adequate to ensure that:
  - (A) Voluntary response actions will protect human health  
and the environment and be conducted in accordance with applicable federal  
and state laws; and
  - (B) If the person conducting the voluntary response action  
fails to complete the necessary response activities, including operation and  
maintenance or long-term monitoring activities, the necessary response  
activities are completed;
- (5) Mechanisms for approval of a voluntary response action plan;  
and
- (6) A requirement for certification or similar documentation  
from the state to the person conducting the voluntary response action  
indicating that the response is complete.



(b) The department may establish and administer a revolving loan fund to make secured and unsecured loans or grants to eligible participants for the purpose of financing the assessment, investigation, or remedial actions at abandoned industrial, commercial, or agricultural sites.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is an urgent need to return abandoned, idled, and underused industrial, commercial, and agricultural properties, otherwise known as Brownfield sites, to productive uses; that the state would benefit by allowing grant funds already received from the federal government, as well as future grant awards and other moneys received by the Department of Environmental Quality, to be used to clean-up Brownfield sites; that a successful revolving loan fund program will assist the department to reach its goal of returning Brownfield sites to productive uses. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003.”

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_  
By: Senator Steele  
AAF/CDS - 031320031236  
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\_\_\_\_\_  
Secretary