

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2777

4
5 By: Representative Green
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 8-7-1103 TO
10 PROVIDE THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL
11 QUALITY WITH THE AUTHORITY TO PROVIDE LOANS AND
12 GRANTS FOR THE ASSESSMENT, INVESTIGATION, AND
13 REMEDIATION OF ABANDONED INDUSTRIAL, COMMERCIAL,
14 OR AGRICULTURAL SITES; AND FOR OTHER PURPOSES.

Subtitle

15
16 AN ACT TO AUTHORIZE THE ARKANSAS
17 DEPARTMENT OF ENVIRONMENTAL QUALITY TO
18 PROVIDE LOANS AND GRANTS FOR THE
19 ASSESSMENT, INVESTIGATION, AND
20 REMEDIATION OF BROWNFIELDS.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 8-7-1103 is amended to add an additional
27 subsection to read as follows:

28 8-7-1103. Department's authority.

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

31 (1) Opportunities for technical assistance for voluntary response
32 actions;

33 (2) Adequate opportunities for public participation, including prior
34 notice and opportunity for comment in appropriate circumstances, in selecting
35 response actions;

36 (3) Streamlined procedures to ensure expeditious voluntary response



1 actions;

2 (4) Oversight and enforcement authorities or other mechanisms that are
3 adequate to ensure that:

4 (A) Voluntary response actions will protect human health and the
5 environment and be conducted in accordance with applicable federal and state
6 laws; and

7 (B) If the person conducting the voluntary response action fails
8 to complete the necessary response activities, including operation and
9 maintenance or long-term monitoring activities, the necessary response
10 activities are completed;

11 (5) Mechanisms for approval of a voluntary response action plan; ~~and~~

12 (6) A requirement for certification or similar documentation from the
13 state to the person conducting the voluntary response action indicating that
14 the response is complete; ~~and~~

15 (7) To authorize the department to establish and administer a
16 revolving loan fund to make secured and unsecured loans or grants to eligible
17 participants for the purpose of financing the assessment, investigation, or
18 remedial actions at abandoned industrial, commercial, or agricultural sites.

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20 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
21 General Assembly of the State of Arkansas that there is an urgent need to
22 allow grant funds already received from the federal government, as well as
23 future grant awards and other moneys authorized to be deposited into the
24 fund, to be used to provide financial assistance, including a revolving loan
25 fund, for the clean up at Brownfield sites. A successful Brownfield
26 Revolving Loan Fund program will assist the Arkansas Department of
27 Environmental Quality Brownfield Program reach its goal of returning
28 abandoned, idled, and underused industrial, commercial, and agricultural
29 properties to productive uses. Therefore, an emergency is declared to exist
30 and this act being immediately necessary for the preservation of the public
31 peace, health, and safety shall become effective on:

32 (1) The date of its approval by the Governor;

33 (2) If the bill is neither approved nor vetoed by the Governor,
34 the expiration of the period of time during which the Governor may veto the
35 bill; or

36 (3) If the bill is vetoed by the Governor and the veto is

1 overridden, the date the last house overrides the veto.

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