

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  
4

*As Engrossed: S3/17/03*

# A Bill

SENATE BILL 939

5 By: Senator Steele  
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## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 8-7-1103 TO  
10 AUTHORIZE THE ARKANSAS DEPARTMENT OF  
11 ENVIRONMENTAL QUALITY TO PROVIDE LOANS AND GRANTS  
12 FOR THE ASSESSMENT, INVESTIGATION, AND  
13 REMEDIATION OF ABANDONED INDUSTRIAL, COMMERCIAL,  
14 OR AGRICULTURAL SITES; AND FOR OTHER PURPOSES.  
15

## Subtitle

16 AN ACT TO AMEND ARKANSAS CODE § 8-7-  
17 1103 TO AUTHORIZE THE ARKANSAS  
18 DEPARTMENT OF ENVIRONMENTAL QUALITY TO  
19 PROVIDE LOANS AND GRANTS.  
20  
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22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. *Arkansas Code § 8-7-1103 is amended to read as follows:*  
26 *8-7-1103. Department's authority.*

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

29 *(1) Opportunities for technical assistance for voluntary*  
30 *response actions;*

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

34 *(3) Streamlined procedures to ensure expeditious voluntary*  
35 *response actions;*

36 *(4) Oversight and enforcement authorities or other mechanisms*



1 that are adequate to ensure that:

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

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

9 (5) Mechanisms for approval of a voluntary response action plan;  
10 and

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

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

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

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32 /s/ Steele  
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