

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1513

By: Representative Holcomb

For An Act To Be Entitled

AN ACT TO AMEND THE ELIGIBILITY REQUIREMENTS FOR THE
ASBESTOS ABATEMENT GRANT PROGRAM; TO AMEND THE
ELIGIBILITY FOR DISTRIBUTION OF FUNDS; TO AMEND THE
COSTS ELIGIBLE FOR GRANT FUNDS; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE ELIGIBILITY REQUIREMENTS FOR
THE ASBESTOS ABATEMENT GRANT PROGRAM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-27-1003(11), concerning the definition
of an “eligible structure” under the Asbestos Abatement Grant Program, is
amended to read as follows:

(11) “Eligible structure” means a structure that:

- (A) Contains friable asbestos materials; ~~and~~
- (B) Unexpectedly collapses, is at imminent risk of collapse, or
fails in its structural integrity; and
- (C) Is not a single or multi-family dwelling.

SECTION 2. Arkansas Code § 20-27-1009 is amended to read as follows:

20-27-1009. Grant eligibility – Distribution of grant funds.

(a)(1) A city or county with a population of less than ~~thirty thousand~~
~~(30,000)~~ fifty thousand (50,000) according to the most recent federal
decennial census ~~or a county that meets the requirements under this section~~
may apply to the Arkansas Department of Environmental Quality for grant funds



1 to be used under this subchapter.

2 (2) Grant funds approved for use by a county shall not be used
3 for a stabilization and abatement activity within a city that has a
4 population of ~~thirty thousand (30,000)~~ fifty thousand (50,000) or greater
5 according to the most recent federal decennial census.

6 (b) To be eligible to receive grant funds under this subchapter, a
7 city or county shall certify the following information to the department in
8 the form required by the department for grant applications under this
9 subchapter:

10 (1) Verification from an authorized local government official
11 that:

12 (A) There is an eligible structure located in the city or
13 county;

14 (B) The city or county either:

15 (i) Owned the eligible structure at the time the
16 eligible structure collapsed, was at imminent risk of collapse, or failed in
17 its structural integrity; or

18 (ii) Has taken ownership of the eligible structure
19 since the eligible structure collapsed, was at imminent risk of collapse, or
20 failed in its structural integrity; and

21 (C) The city or county did not cause or contribute to the
22 collapse or failure of the structural integrity of the eligible structure;

23 (2) Verification in the form of a report and site assessment
24 from an asbestos abatement consultant or asbestos abatement contractor
25 licensed under § 20-27-1006 that the friable asbestos materials in the
26 eligible structure pose a potential threat to public health;

27 (3) A proposed project design and work plan that complies with
28 the regulations of the Arkansas Pollution Control and Ecology Commission; and

29 (4) An estimate of the anticipated costs associated with and any
30 costs already incurred for each stabilization and abatement activity.

31 (c)~~(1)~~ When the department approves a grant application received under
32 this section, the department shall distribute grant funds based on the
33 available moneys dedicated to the Asbestos Abatement Grant Program in the
34 Asbestos Control Fund ~~at the time the grant application is received by the~~
35 ~~department~~ according to procedures established by the Director of the
36 Arkansas Department of Environmental Quality.

1 ~~(2) As appropriated funds are available, the department shall~~
2 ~~distribute grant funds in the order in which the grant applications are~~
3 ~~approved.~~
4

5 SECTION 3. Arkansas Code § 20-27-1010 is amended to read as follows:

6 20-27-1010. Costs eligible for grant funds.

7 The grant funds approved under § 20-27-1009 may be used for the
8 following:

9 (1) The cost of activities undertaken in an approved grant application
10 by a city or county in the normal course and customary practice of a
11 stabilization and abatement activity for an eligible structure owned by a
12 city or county; and in the following amounts:

13 (A) Not more than fifty percent (50%) of the total cost of
14 asbestos abatement activities; and

15 (B) Not more than two thousand dollars (\$2,000) for the initial
16 asbestos inspection; or

17 (2) If the Arkansas Department of Environmental Quality determines
18 that an asbestos emergency exists that constitutes an immediate threat to
19 human health or the environment, the costs associated with the stabilization
20 and remediation of the emergency asbestos conditions.
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