

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 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 1099

4
5 By: Senator Womack

For An Act To Be Entitled

9 AN ACT TO CLARIFY LIABILITY PROVISIONS OF THE
10 REMEDIAL ACTION TRUST FUND ACT; AND FOR OTHER
11 PURPOSES.

Subtitle

14 AN ACT TO CLARIFY LIABILITY PROVISIONS
15 OF THE REMEDIAL ACTION TRUST FUND ACT.

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

20 SECTION 1. Arkansas Code § 8-7-502, concerning the purposes of the
21 Remedial Action Trust Fund Act, is amended to add an additional subsection to
22 read as follows:

23 (d) The General Assembly expressly intends that liability for
24 hazardous waste site remedial action costs applies retroactively from the
25 enactment of Acts 1985, No. 452.

27 SECTION 2. Arkansas Code § 8-7-512(a), concerning parties liable for
28 remedial action costs under the Remedial Action Trust Fund Act, is amended to
29 read as follows:

30 (a) Any of the following shall be liable to the state for all costs of
31 remedial actions under this subchapter:

32 (1) The owner and operator of a facility;

33 (2) Any person who, at the time of disposal of any hazardous
34 substance, owned or operated a hazardous substance site;

35 (3) Any generator of hazardous substances who, ~~at the time of~~
36 ~~disposal,~~ caused such substance to be disposed of at a hazardous substance



1 site or who causes a release or threatened release of the hazardous
2 substances; or

3 (4) Any transporter of hazardous substances who causes a release
4 or threatened release of the hazardous substances or who, ~~at the time of~~
5 ~~disposal~~, selected a hazardous substance site for disposal of the hazardous
6 substances.

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