1	State of Arkansas	As Engrossed: \$3/16/17	
2	91st General Assembly	A Bill	
3	Regular Session, 2017		SENATE BILL 613
4			
5	By: Senator J. Cooper		
6			
7		For An Act To Be Entitled	
8	AN ACT TO AMEND THE LAW CONCERNING THE USE OF		
9	ASSESSMENT GRANTS FOR POTENTIALLY CONTAMINATED SITES		
10	FOR THE FACILITATION OF ECONOMIC DEVELOPMENT AND		
11	ENVIRONMENTAL IMPROVEMENT; TO AMEND THE REMEDIAL		
12	ACTION TRUST FUND ACT; TO AMEND THE HAZARDOUS		
13	SUBSTANCE REMEDIAL ACTION TRUST FUND; AND FOR OTHER		
14	PURPOSES.		
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17		Subtitle	
18	TO A	MEND THE LAW CONCERNING THE USE	OF
19	ASSE	SSMENT GRANTS FOR POTENTIALLY	
20	CONTAMINATED SITES FOR THE FACILITATION		
21	OF E	CONOMIC DEVELOPMENT AND ENVIRON	MENTAL
22	IMPR	OVEMENT; AND CERTAIN RELATED TR	UST
23	FUND	S.	
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26	BE IT ENACTED BY THE O	GENERAL ASSEMBLY OF THE STATE OF	F ARKANSAS:
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28	SECTION 1. Arka	ansas Code § 8-7-502(e), concert	ning legislative intent
29	and purposes of the Remedial Action Trust Fund Act, $\S$ 8-7-501 et seq., is		
30	amended to add an additional subdivision to read as follows:		
31	<u>(3) (A) Pr</u>	rovide the state with the author	rity necessary to fund
32	site assessments at any one (1) or more of the following:		
33	(i) Abandoned industrial, commercial, and		
34	agricultural sites or	residential properties as state	ed in § 8-7-1101 et seq.
35	for written requests i	from quasi government agencies,	county government,
36	school districts, and	planning and development distri	icts if the persons do

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     not hold title at the time of the written requests.
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                             (ii) Potentially contaminated sites where a letter
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     of intent is signed and available federal funds exhausted.
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                       (B) The provisions concerning site assessments under §§ 8-
     7-504(a) and (b), 8-7-505, 8-7-508, 8-7-509(e) and (f), and 8-7-516 shall not
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 6
     apply under this subdivision (e)(3).
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           SECTION 2. Arkansas Code § 8-7-503(8), concerning definitions under
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     the Remedial Action Trust Fund Act, § 8-7-501 et seq., is amended to read as
10
     follows:
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                "Person" means any individual, corporation, company, firm,
           (8)
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     partnership, association, trust, joint-stock company or trust, venture, state
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     or federal government or agency, quasi government agencies, county
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     government, school districts, and planning and development districts, or any
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     other legal entity, however organized;
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           SECTION 3. Arkansas Code § 8-7-509(d), concerning definitions under
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     the Remedial Action Trust Fund Act, § 8-7-501 et seq., is amended to read as
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     follows:
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           (d)(1) Ten percent (10%) of the moneys collected for the Hazardous
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     Substance Remedial Action Trust Fund after July 1, 1991, shall be deposited
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     into the Environmental Education Fund. Total deposit of funds shall not
23
     exceed two hundred seventy-five thousand dollars ($275,000) per fiscal year.
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                 (2)(A) Ten percent (10%) of the moneys collected for the
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     Hazardous Substance Remedial Action Trust Fund after July 1, 2017, may be
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     used for conducting site assessments of potentially contaminated sites where
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     a letter of intent has been signed and available federal funds are exhausted
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     in accordance with § 8-7-1101 et. seq.
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                       (B) This amount shall not exceed five hundred thousand
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     dollars ($500,000) per fiscal year.
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                 (3) The remaining moneys in the Hazardous Substance Remedial
     Action Trust Fund may be expended by the director as authorized by
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     subsections (d) and (e) of this section:
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                       (1)(A) For the costs and expenses reasonably necessary for
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     the administration of this subchapter by the Arkansas Department of
36
     Environmental Quality;
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1	$\frac{(2)}{(B)}$ For the state share mandated by § 104(c)(3) of the		
2	federal act, 42 U.S.C. § 9604(c)(3); and		
3	(3)(C) To provide for the investigation, identification,		
4	assessment, containment, abatement, treatment, or control, including		
5	monitoring and maintenance, of hazardous substance sites within the state.		
6	The director may enter into the contracts and use the funds for those		
7	purposes directly associated with identification, investigation, containment		
8	abatement, treatment, or control, including monitoring and maintenance,		
9	prescribed above, including:		
10	(A)(i) Hiring of personnel;		
11	(B)(ii) Purchasing, leasing, or renting of		
12	equipment; and		
13	(C)(iii) Other necessary expenses related to the		
14	operation and implementation of this subchapter.		
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16	/s/J. Cooper		
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