APC&EC Regulation 29: Arkansas Brownfields Redevelopment

Summary of Changes

Mark-Up Draft

Changes to the Mark-Up Draft of Regulation 29, Arkansas Brownfields Redevelopment are as follows:

Chapter 4: ELIGIBILITY

Change 1:  Reg.29.401(A)(2): The “and” that was previously deleted has been added and the “or” previously added has been deleted at the end.

Change 2:  Reg.29.401(A)(3): “or” has been added at the end.

The change will be reflected as follows and will be the same as set forth in statute at Ark. Code Ann. § 8-7-1104(a):

Reg.29.401(A) This Regulation applies to a person who:

(1) Is a prospective purchaser of an abandoned industrial, commercial, or agricultural property with known or suspected contamination, or who is a prospective purchaser of abandoned residential property;
(2) Did not, by act or omission, cause or contribute to any release or threatened release of a hazardous substance on or from the identified abandoned site or is otherwise considered to be a responsible party pursuant to A.C.A.§ 8-7-512(a)(2)-(4); and or and
(3) Will reuse or redevelop the property for industrial, commercial, agricultural, or residential uses which will sustain or create employment opportunities or otherwise augment the local and/or state economy and tax base, or both; or
(B) This Regulation applies to a person who:
(1) Is not a responsible party pursuant to A.C.A. § 8-7-512(a)(2)-(4);
(2) Submits a Letter of Intent to Participate as provided for under Section 29.604; and
(3) Subsequently acquires title to an abandoned site prior to completion of an implementing agreement as set forth in A.C.A. § 8-7-1104(d).