

## APC&EC Regulation 29: Arkansas Brownfields Redevelopment

### Proposed Amendments – Executive Summary

The Arkansas Department of Environmental Quality proposes this rulemaking before the Arkansas Pollution Control and Ecology Commission to create consistency between the language of Regulation 29 and the statute. The Commission's authority for amending Regulation 29 is found in Arkansas Code Annotated § 8-7-209(b)(1). Regulation 29 encourages and facilitates the redevelopment of abandoned industrial, commercial, or agricultural sites, or abandoned residential property as a sound land use management policy to prevent the needless development of prime farmland, open spaces, and natural and recreation areas and to prevent urban sprawl.

Proposed changes to Regulation 29 include language changes to make the Regulation consistent with the Arkansas Voluntary Clean-Up Act, Act 1042 of 1997, as amended, Ark. Code Ann. § 8-7-1101 *et seq.* Additional stylistic and formatting revisions are proposed to make the Regulation consistent with the formatting guidelines of the Commission.

The proposed changes include:

- Striking the “s” from the word Brownfields throughout the Regulation.
- Adding the word “or” to Chapter 4, Eligibility, Reg.29.401(A)(2).
- Removing “Section 2.1” from Chapter 5, Public Participation, Reg.29.502.
- Adding “Reg.” before each section number throughout the Regulation.
- Amending Chapter 8, Effective Date, Reg.29.801 to read, “This Regulation is effective ten (10) days after filing with the Secretary of State, the State Library, and the Bureau of Legislative Research.”
- Minor stylistic and formatting changes.