

# **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).