

RESOLUTION

WHEREAS, the Federal Resource Conservation and Recovery Act of 1976 (PL 94-580) requires that a comprehensive state Solid Waste Management Plan be developed to assure that all wastes generated are used for resource recovery or are disposed of in other environmentally sound manners; and

WHEREAS, the Federal Resource Conservation and Recovery Act requires that the Governor, after consultation with local elected officials, identify regional areas, agencies within these areas and the responsibilities of these agencies in developing and implementing the Solid Waste Management Plan; and

WHEREAS, the Department of Pollution Control and Ecology, as the interim lead agency, has solicited from local elected officials, state officials, affected and interested parties, and the general public nominations for state, regional and local government agencies to develop the state Solid Waste Management Plan; and

WHEREAS, recommendations were solicited from local elected officials, affected and interested parties and the general public on the responsibilities of these agencies and a public meeting was held to discuss the identification of these agencies and their responsibilities; and

WHEREAS, boundaries for the regions to be involved in Solid Waste Management Planning have been established by Governor's Executive Order of November 7, 1977,

NOW THEREFORE, BE IT RESOLVED BY THE ARKANSAS COMMISSION ON POLLUTION CONTROL AND ECOLOGY:

COMMIS-
SIONERS

Submitted By: B. Parr

Date Passed: 2/2/79

Chairman

That the Commission urges the Governor to certify to the United States Environmental Protection Agency the results of this process:

That the Arkansas Department of Pollution Control and Ecology be identified as the permanent lead agency for planning activities pursuant to the Resource Conservation and Recovery Act; and that the responsibilities of the Department shall be to:

Assess the existing levels of the State's solid waste management planning and implementation;

Determine needs, objectives, priorities, and timing for development of the plan;

Establish a process for meeting needs identified;

Involve the public in the formulation of the State Plan;

Assure that the State Plan remains responsive to the needs of the citizens of Arkansas;

Plan and coordinate resource conservation and recovery programs that will benefit the environment of the State; and

Establish an orderly process for the development of hazardous waste management planning and implementation.

COMMIS-
SIONERS

Chairman

Submitted By: B. Parr

Date Passed: 2/2/79

That the following regional solid waste planning agencies be identified within the boundaries established by the Governor's Executive Order of November 7, 1977:

Arkoma Regional Planning Commission for the Counties of Crawford and Sebastian;

Central Arkansas Planning and Development District for the Counties of Faulkner, Lonoke, Monroe, and Prairie;

East Arkansas Planning and Development District for the Counties of Clay, Craighead, Cross, Greene, Lawrence, Lee, Mississippi, Phillips, Poinsett, Randolph, and Saint Francis;

Mississippi-Arkansas-Tennessee Council of Governments for the County of Crittenden;

Miller County, separately or jointly with Arkansas-Texas Council of Governments;

Northwest Arkansas Economic Development District for the Counties of Baxter, Boone, Carroll, Madison, Marion, Newton, and Searcy;

Northwest Arkansas Regional Planning Commission for the Counties of Benton and Washington;

Southeast Arkansas Economic Development District for the Counties of Arkansas, Ashley, Bradley, Chicot, Cleveland, Desha, Grant, and Lincoln;

COMMIS-
SIONERS

Chairman Submitted By: B. Parr Date Passed: 2/2/79

Southeast Arkansas Regional Planning Commission for the County of Jefferson;

Southwest Arkansas Planning and Development District for the Counties of Calhoun, Columbia, Dallas, Hempstead, Howard, Little River, Nevada, Ouachita, Sevier, Union, and Lafayette;

West Central Arkansas Planning and Development District for the Counties of Clark, Conway, Garland, Hot Spring, Johnson, Montgomery, Perry, Pike, Pope, and Yell;

Western Arkansas Planning and Development District for the Counties of Franklin, Logan, Polk, and Scott; and

White River Planning and Development District for the Counties of Cleburne, Fulton, Independence, Izard, Jackson, Sharp, Stone, Van Buren, White, and Woodruff.

And that the responsibilities of these regional solid waste planning agencies in the development of the State Solid Waste Management Plan shall be to:

Assure that all waste types generated in that region are addressed in the State plan;

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Assist county and local entities in planning for the disposal of all solid wastes identified for the State Plan;

Coordinate the implementation of the State Plan within the region and, as requested, assist in actual facility planning and construction;

Plan for and promote regional disposal systems and resource conservation wherever practicable;

Provide for public participation in the development of regional plans; and

Maintain coordination of planning efforts with the state permanent lead agency and other agencies.

BE IT FURTHER RESOLVED that the implementation authorities for provisions of the State Solid Waste Management Plan shall be the municipalities and counties within the State and that the responsibilities of these entities shall be to:

Develop, with the assistance of the state and regional planning agencies, a plan to provide a solid waste management system and adequately provide for the disposal of solid wastes generated or existing within the incorporated limits of each

COMMISSIONERS

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DATE PASSED: 2/2/79

municipality (in the case of cities), or within the boundaries of each county and outside the corporate limits of any municipality (in the case of counties);

With the assistance of state and regional agencies, plan for, implement and encourage resource conservation and recovery programs and facilities;

Cooperate with the state and regional Solid Waste Planning Agencies in the coordination of solid waste management planning in each region; and

Provide for public input into the development of municipal and county solid waste management systems.

COMMISSIONERS

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Ralph C. Dumas
Chairman

Submitted By: B. Parr

Date Passed: 2/2/79

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY
SOLID WASTE CONTROL DIVISION
8001 NATIONAL DRIVE
LITTLE ROCK, ARKANSAS 72209

Identification Process Summary

In October 1976, the federal Resource Conservation and Recovery Act (RCRA) was passed by the 94th Congress. Section 4006(b) of RCRA deals specifically with the identification of state and local agencies and their responsibilities in solid waste management planning. A public hearing was held in October 1977, and an Executive Order of the Governor in November 1977 established boundaries for the regional planning areas. Also in November of 1977, the Governor designated the Arkansas Department of Pollution Control and Ecology as the interim lead agency for fiscal year 1978 to implement a state plan and to coordinate solid waste management planning functions on a regional level.

A time period for receiving agency nominations was opened in September 1978, with a memorandum to all county judges and mayors seeking their nominations. The nomination period closed in October 1978, with consensus positions reached. Also in September, a letter from the Governor was sent to the EPA, continuing the designation of the Arkansas Department of Pollution Control and Ecology as the responsible interim lead agency for coordination of the distribution of funds between state and substate entities for FY-79.

In November 1978, the comment period was opened on the identification of responsibilities for the agencies nominated. Once again, a listing of the identification of responsibilities was mailed to the regional planning agencies, county judges, mayors, and interested parties. In December, notice was given for a public meeting to be held in January 1979, to discuss the identification of agencies and their responsibilities in solid waste management planning. A summary of the proceedings from the January public meeting is attached.

In the immediate future, meetings will be held with regional planning agencies to finalize those agencies' proposed responsibilities. Recommendations concerning state and regional agencies and the distribution of responsibilities will be forwarded to the Governor. It is anticipated that the Governor will inform the EPA of the agreements reached between state and substate entities and of the distribution of the responsibilities among those entities. Afterwards, agreements between the state and the regional planning agencies will be formalized and executed.

S U M M A R Y O F P R O C E E D I N G S

Public Meeting

To discuss agency and responsibility identification
under the Resource Conservation and Recovery Act.

Wednesday, January 10, 1979
Little Rock, Arkansas

1. Attendance

TOTAL.	43
Representing	
Arkansas Department of Pollution Control and Ecology	8
United States Environmental Protection Agency	2
Arkansas Department of Health	6
Regional Planning Agencies	8
Industries	8
Arkansas Energy Conservation and Policy Office	2
Solid Waste Industries	2
Counties	2
Environmental Groups	3
Department of Local Services	1
Cities	1

2. Speakers

TOTAL.	6
Jarrell Southall, Arkansas Department of Pollution Control and Ecology	
H. J. Parr, Arkansas Department of Pollution Control and Ecology	
Doice Hughes, Arkansas Department of Pollution Control and Ecology	
R. Stan Jorgensen, United States Environmental Protection Agency	
Martha Walters, United States Environmental Protection Agency	
Warren Jennings, Arkansas Energy Conservation and Policy Office	

P R O C E E D I N G S

Opening Statements

SOUTHALL:

The purpose of this meeting is to formally identify regional planning agencies and their responsibilities in solid waste management planning under RCRA.

Speakers

PARR:

The identification process became a duty of the state with the passage of RCRA in 1976. The Governor's Proclamation of November 1977 gave the agency a course of action to follow, which led to regional planning agency nominations from county judges and mayors.

JORGENSEN:

The United States Environmental Protection Agency is very interested in local government involvement in solid waste management programs. The agency identification process in other states in the Region is progressing quite well, with perhaps the exceptions of New Mexico and Louisiana.

WALTERS:

The United States Environmental Protection Agency's concern for local government input should not be underestimated. Although the federal money for far-reaching local programs could be difficult to obtain, there are technical assistance programs offered - one of which is the peer match funding program.

JENNINGS:

The Arkansas Energy Conservation and Policy Office complimented the Arkansas Department of Pollution Control and Ecology on their advancement of the solid waste program in Arkansas since 1971. At this time, the Arkansas Energy Conservation and Policy Office proposed that resource recovery in the state be planned for and coordinated with the Arkansas Department of Pollution Control and Ecology, in order to contribute further to solid waste and energy management.

HUGHES:

The Arkansas Department of Pollution Control and Ecology, in order to obtain further information on hazardous waste producers in Arkansas, has undertaken a waste exchange feasibility study. All industries in the state will be contacted and asked to classify their waste. It is anticipated this will provide a background for a future hazardous waste management plan.

Questions and Answers

TOM SKINNER - Arkansas Department of Health

The Department of Health volunteered services in public health engineering in planning and implementing a solid waste program.

JACK JONES - Administrative Assistant to Jefferson County Judge

Jefferson County requested technical assistance.

BILL CAZORT - Dow Chemical

Dow wanted to know if there was a definition of hazardous waste in Arkansas.

UNIDENTIFIED -

This person questioned the possibility of more public meetings in the future, more specifically, meetings on hazardous waste.

LOUIS BARBER - Central Arkansas Planning and Development District

Central Arkansas Planning and Development District raised a question concerning the toxicity of seeds from a contaminated area.

RANDY MCKINNA - Vertac, Inc.

Vertac asked if Mississippi-Arkansas-Tennessee Council of Governments had already begun solid waste management planning or if it was still seeking input.

FRANCIS BILLINGS - City of Rogers

Rogers has experienced difficulty in enforcing Act 237 and requested suggestions on how to deal with the problem.

EXHIBIT D

SUMMARY OF PROCEEDINGS

Public Hearing

To identify regions within Arkansas which have common solid waste management problems and which are appropriate units for planning regional solid waste management services.

Thursday, October 13, 1977
Little Rock, Arkansas

1. Attendance

Total = 39

Representing -

Arkansas Department of Pollution Control and Ecology	=	5
Governor's Office	=	1
Arkansas Energy Office	=	2
Counties	=	3
Cities	=	4
Planning Districts	=	6
Solid Waste Industry	=	3
Government Associations	=	2
News Media	=	4
Court Reporter	=	1
Other Interested Parties	=	8

2. Speakers -

Total = 4

Representing -

Arkansas Energy Office	=	1
Cities	=	1
Planning Districts	=	1
Counties	=	1

PROCEEDINGS

Opening Statements:

Purpose: (Bill Onopa - Governor's Office)
To develop information of local government and affected party preferences on planning boundary delineations pursuant to the Resource Conservation and Recovery Act.

Reading of Notice (Bobby Voss - Arkansas Department of Pollution Control and Ecology)

Overview: (Ray Hightower - Arkansas Department of Pollution Control and Ecology)
RCRA emphasizes area-wide solid waste management planning, resource recovery wherever feasible, and public participation in the development, revision, implementation, and enforcement of any regulations, guidelines, information, or program. The state plan is envisioned to be a broadly-based document which will allow for individual initiative in the regions and localities. The regional plans should be comprehensive operational system and facility plans geared to the specific localities' needs, desires and capabilities.

Speakers:

Honorable Roger Mears - Pulaski County -
Finds that there is a great need for planning and requests that it move on as rapidly as possible. Solid Waste is probably the third most expensive problem that local governments have, after schools and roads. Developing and maintaining landfill is very expensive. The needs for long-range planning and regional planning are apparent. Through long-range planning of solid wastes disposal in an area, a system could be devised to separate out paper and yard waste and utilize it for generating steam or other resource recovery operation. This is one of the main areas of concern that the program should address.

Mayor Edwin Baldwin - Horseshoe Bend -
Would like to see the legislature adopt some law that would permit the charges for solid waste pickup be added to the tax bill. Very interested in resource recovery.

Jason Rouby - Metroplan -
The Governor's designations of areas logically meets the needs of the people of Arkansas by insuring that every part of the state is included in a planning area, and by aggregating counties in Metropolitan areas, which by

their economic, social and cultural ties to each other, are integral units. Requests that the Governor designate Metroplan as the agency for planning resource conservation and recovery.

Alford Drinkwater - Arkansas Energy Office -

The planning process carried out by the State and the various regions for the purposes of complying with the terms of the Resource Conservation and Recovery Act of 1976 should consider very carefully the energy effectiveness of the plan before its completion and presentation for certification.

Questions and Answers:

Questions were brought forward at this time relating to individual problems. Statements were made regarding feasibilities of resource recovery in rural areas.