



# White River Regional Solid Waste Management District

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March 15, 2018

Kelly Robinson  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, Arkansas 72118

RE: Proposed Revisions to Arkansas Pollution Control and Ecology Commission  
Regulation 36

Dear Ms. Robinson:

The White River Regional Solid Waste Management District is submitting the following comments regarding Regulation 36. We support the comments provided by the Arkansas Association of Regional Solid Waste Management Districts that were submitted on March 14<sup>th</sup>. There are specific comments that we want to include.

**Regulation 36.1501(A)** We were told at stakeholder meetings by ADEQ personnel that open collection centers would be allowed. In rural Arkansas these are standard methods of collection. The purpose of collection centers is to collect waste tires so that they are not dumped along the roadside, in ditches and ravines, or left in unattended areas. They have served our District well over the past twenty five years. They have helped us prevent illegal dumping and other problems within our counties. We have 54 26-foot long open trailers that are placed in convenient places for the collection of waste tires. Some serve local dealers only, others are at designated collection sites, and others are dropped at locations upon request for short time periods. The cost of creating access-controlled sites with entry through specific points by authorized personnel will increase our costs significantly, encourage illegal dumping and create additional problems for the used tire program. We have proven situations where access-controlled sites do not solve any accountability issues or prohibit access. One access controlled site we currently have in Batesville at a local tire dealer has illustrated that this does not work. The site has an 8 foot fence around the trailer which is locked. At night the site is either accessed by climbing the fence, by cutting the fence or just leaving tires piled up outside the fence. They will back a truck up to the fence and climb from the bed of the truck into the fenced area to the trailer. This is not an isolated site but is located at an intersection of the main highway through town and another highway. We request that we be allowed to continue our sites that work well for us. If people want access they will get access.

In our most rural counties we have minimal choices for access controlled sites. We have handled some of the cases by taking a trailer to a specific tire dealer for several days and allowing tires to be collected



until the trailer is full. These pick up events might happen once or twice a year. There is not enough business to create the need for a full time trailer to be sited. Our collection program has evolved over time and the decisions used are based on best practices learned for that county.

**Regulation 36.1501(B)** The Used Tire Program Board should not be required to petition ADEQ to conduct a temporary open-collection center for events. County collections and other type collection events should be at the discretion of the Board. This adds a time consideration and burden on the UTP.

**Regulation 36.1506(B)(2)** Since our collections sites are served by a 26-foot long trailer the need for weekly inspections is excessive. We request that this be revised to address the type of site. If the site is only a trailer the site should be inspected less frequently such as quarterly. We do not have collection sites where tires are stacked on the ground. We also request a minimum tire number be included before a collection center permit is required as it was in Regulation 14. When the collection site is only one trailer with maximum capacity of 400 tires, it is a burden to have a permit.

**Regulation 36.1508** A storm water permit should not be required for an open-top container or trailer. Tarping the trailer or putting it under a structure is a burdensome requirement when tires are designed to be out in the weather. Water touching waste tires is not an environmental hazard.

We appreciate your consideration of our comments in addition to the comments submitted by the Arkansas Association of Regional Solid Waste Management Districts. Please contact us if you have any questions or wish additional information.

Sincerely,



Jan Smith  
Executive Director

JS/jl