



ARKANSAS
Department of Environmental Quality

ACT 1176 OF 2015

To: *Owners and/or Operators
Class 1 and 4 Solid Waste Management Facilities*

Date: *September 21, 2015*

The purpose of this letter is to inform you of future changes resulting from the passage of Act 1176 from the 2015 Legislative Session. This Act repeals A.C.A. §8-6-614, and ends the diversion of the Post-Closure Trust Fee ("PCTF") to the Computer and Electronic Equipment Recycling Program. Previously, when the PCTF reached twenty-five million dollars (\$25,000,000), the fee designated for the PCTF would cease and it would divert to fund the Computer and Electronic Equipment Recycling Program. When the PCTF fell below fifteen million dollars (\$15,000,000), the fees would once again revert to the Fund.

Prior to implementation of Act 1176 of 2015, the Solid Waste Management Landfill Disposal Fee Program required landfill permittees to submit landfill disposal fees in accordance with the following three (3) statutes:

A.C.A. §6-6-606 - funds the recycling program and the State Marketing Board:

Uncompacted Cubic Yard	\$.25
Compacted Cubic Yard	\$.45
Tons	\$1.50

A.C.A. §8-6-612 – funds the computer and electronic equipment recycling program (these funds are not collected until the Landfill Post-Closure Trust Fund reaches twenty-five million dollars (\$25,000,000). (Class 3N and Out-of-State Haulers are exempt from this fee):

Uncompacted Cubic Yard	\$.15
Compacted Cubic Yard	\$.30
Tons	\$1.00

A.C.A. §8-6-1004 – funds the Landfill Post-Closure Trust Fund (in the event the total amount in this fund equals or exceeds twenty-five (\$25,000,000), no additional moneys shall be deposited in this fund until the total amount in the fund equals or is less than fifteen million dollars (\$15,000,000). At this time, the money is diverted to the computer and electronic equipment recycling program). (Class 3N and Out-of-State Haulers are exempt from this fee):

Uncompacted Cubic Yard	\$.15
Compacted Cubic Yard	\$.30
Tons	\$1.00

Every quarter, your current Quarterly Report Form displays the following rates:

CURRENT

Waste Received Totals	Waste Totals	Total Waste @ Rate	Fees Due
Uncompacted Cubic Yards		\$.40 per Cubic Yard	\$
Compacted Cubic Yards		\$.75 per Cubic Yard	\$
Tons (Class 1's and 3C's must use Tons only)		\$2.50 per Ton	\$
	Subtotal Fees Due:		\$

The PCTF and the Computer and Electronic Equipment Recycling Program are now full time fees. Consequently, when the balance of the Post-Closure Trust Fund reaches fifteen million dollars (\$15,000,000), fees will be collected for the Recycling Program, the Post-Closure Trust Fund, and the Computer and Electronic Equipment Recycling Program. The Technical Branch is working on four projects and we anticipate this fund depleting rapidly and dipping below fifteen million (\$15,000,000) in early 2016.

The revised Quarterly Report Form (tentatively 2nd Quarter 2016 or 3rd Quarter 2016) will be as follows:

FUTURE (Early 2016)

Waste Received Totals	Waste Totals	Total Waste @ Rate	Fees Due
Uncompacted Cubic Yards		\$.55 per Cubic Yard	\$
Compacted Cubic Yards		\$1.05 per Cubic Yard	\$
Tons (Class 1's and 3C's must use Tons only)		\$3.50 per Ton	\$
	Subtotal Fees Due:		\$

While we cannot provide the exact time the activities above will occur, we wanted to outline a reasonable timetable for you to use as you prepare your annual budgets. We will notify you in writing of an official date to begin collecting the additional fee outlined above.

Should you have any questions, don't hesitate to call me at (501)-682-0600.

Sincerely,


Benjamin T. Jones
Chief, Solid Waste Management Division

cc: Tammy Harrelson, Deputy Director – Land Resources
Susan Speake, Programs Branch Manager, Solid Waste Management Division
Bryan Leamons, Engineer Supervisor, Solid Waste Management Division
Scott McWilliams, Enforcement Branch Manager, Solid Waste Management Division
Clark McWilliams, P.E. Technical Branch, Solid Waste Management Division

Arkansas Department of Environmental Quality

SOLID WASTE DISPOSAL QUARTERLY REPORT FORM

Permit Number	AFIN	Fee Code	Class
		MSW	1, 3C, 4

FEES AND REPORT DUE
July 15, 2016
Report Waste Amounts
APR/MAY/JUN
2nd Quarter 2016

Landfill

Billing Address:

Billing Changes:

Send To:

A.D.E.Q - Solid Waste Division
 5301 Northshore Drive
 North Little Rock, AR 72118
 Phone (501)682-0586 Fax (501)682-0611
 e-mail: swdisposalfees@adeq.state.ar.us

Waste Received Totals	Waste Totals	Total Waste @ Rate	Fees Due
Uncompacted Cubic Yards		\$.55 per Cubic Yard	\$
Compacted Cubic Yards		\$1.05 per Cubic Yard	\$
Tons (Class 1's and 3C's must use Tons only)		\$3.50 per Ton	\$
A. Subtotal Fees Due:			\$

Waste Reduction Credit (WR) or Fee Exempt KAB Campaign	Waste Reduction (WR) or KAB Waste Totals	Waste Reduction (WR) or KAB Waste @ Rate	Note below if (WR) Waste Reduction or KAB Exempt
Uncompacted Cubic Yards		\$.55 per Cubic Yard	\$
Compacted Cubic Yards		\$1.05 per Cubic Yard	\$
Tons		\$3.50 per Ton	\$
(WR) Reg 11.206(c): Waste Reduction	B. Subtotal Waste Reduction Credit:		\$
(KAB) Act 189 of 2009: Fee Exemption for Waste from Keep America Beautiful (Spring-Great American Cleanup) and Keep Arkansas Beautiful (Fall-Great Arkansas Cleanup) Campaigns	Total Fees Due (A minus B)		\$
	Adjustment (Pre-approved by ADEQ)		\$
Reg. 11.208 Late Fees: Add 10% late fee if full payment is not received in 15 days of due date. Add 5% for each additional late month, up to 25%.	Late Fee		\$
	Total Payment Due (Include with this report)		\$

Last quarter total waste: Not Reported tons. If there is a 20% difference from previous quarter, please explain:

Signature of Preparer: _____ **Date:** _____ **Phone:** _____

Quarterly reporting of waste amounts and fees are required by Regulation 11.101 (A), pursuant to Ark. Code Ann. §8-6-601 and §8-6-1001 et al, which are available for review at <http://www.adeq.state.ar.us/regs/>