

BOSTON MOUNTAINS (TRI-COUNTY) RSWMD

PART TWO

MINIMUM REQUIREMENTS

FOR

REGIONAL SOLID WASTE MANAGEMENT PLANS

**FOR SUBMITTAL TO AND APPROVAL OF THE
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT DIVISION**

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Due Date November 1, 2004, Followed By Annual Updates

**BOSTON MOUNTAINS (TRI-COUNTY) RSWMD
PART TWO
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REGIONAL SOLID WASTE MANAGEMENT PLANS**

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BOSTON MOUNTAINS (TRI-COUNTY) RSWMD

**MINIMUM REQUIREMENTS FOR
REGIONAL SOLID WASTE MANAGEMENT PLANS**
For the Regional Solid Waste Management Districts

PART TWO - CHAPTER ONE — ACTIVITIES ANALYSIS

A.C.A. §8-6-704. Boards - Powers and duties. "(a) The regional solid waste management boards shall have the following powers and duties:....(2) To evaluate on a continuous basis the solid waste needs of their districts.....; (3) To formulate recommendations to all local governments within their districts on solid waste management issues, and to formulate plans for providing adequate solid waste management...."

Section 2.101 Overview

A. History

1. Provide a history of the District relative to legislated or regulated solid waste management requirements.

The District has been the leader in progressive solid waste management in Arkansas since 1992. Our minutes show that the District has continually revised and amended their solid waste plan to adjust with the times.

ACCEPTABLE	<p>Comment With regards to this response, and basically throughout this Plan submittal, the Department has determined that responses are very limited and would like to see further discussion from the District. Therefore, the Department accepts this submittal, provided that responses are expanded upon in the updated Plan submittal due November 1, 2005.</p> <p>The Department acknowledges that the Plan submittal from Boston Mountain (Tri-County) did provide a lot of very good information and it appears that the district is doing an outstanding job of taking care of the needs of its citizens.</p>
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2. How were the District boundaries established?

They were originally set by the State Legislature in 1991. Benton, Carroll, Madison and Washington Counties broke off from the original district in 1992. In 2000, Carroll County rejoined the Northwest District.

ACCEPTABLE	<p>Comment See 2.101.A.1. comment. Request a more descriptive response on updates.</p>
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3. What has been the District's greatest accomplishment in terms of solid waste management?

Establishing the first household hazardous waste collection centers in the State, developing stringent landfill siting development, and developing an administrative enforcement scheme.

ACCEPTABLE	Comment See 2.101.A.1. comment. Request a more descriptive response on updates.
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B. Current

1. Describe the Board’s planning process as it relates to legislated or regulated solid waste management requirements.

The District’s Solid Waste Management Committee meets and reviews issues of current concern and will revise our Solid Waste Plan and submit the revisions to the entire Board.

ACCEPTABLE	Comment See 2.101.A.1. comment. Request a more descriptive response on updates.
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2. What does the District want the Plan to do for the citizens of its area?

Provide them with a blueprint for comprehensive solid waste management for the next 10 years.

ACCEPTABLE	Comment See 2.101.A.1. comment. Request a more descriptive response on updates.
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3. Give a descriptive snapshot of solid waste management in the District.

Solid waste management in this District follows an integrated approach. Efforts are directed at waste reduction, reuse and recycling before disposal. Because of the fragile geologic nature of this region, the District opposes any future landfill development and will rely on waste reduction and then a series of transfer stations to transport waste requiring disposal to more appropriate landfill sites.

ACCEPTABLE	Comment See 2.101.A.1. comment. Request a more descriptive response on updates..
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Section 2.102 Organization and Administration

A.C.A. §8-6-703. Creation of districts and boards - Members of boards et seq.....”

A. District

1. Provide a chart that gives the organizational hierarchy of the District and/or its affiliates, agencies and/or peripheral organizations.

See Attachment 1.

ACCEPTABLE	Comment Any peripheral organizations?
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2. Describe the role the District plays in the development and implementation of effective solid waste management programs.

The District is active in development or assisting local governments in the development of effective programs.

UNACCEPTABLE	Comment See 2.101.A.1. comment. Request a more descriptive response on updates.
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3. Append administrative procedures, regulations, ordinances or policies relative to the District.

See Attachment 2.

ACCEPTABLE	Comment
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B. Board

1. Give an overview of the activities and authorities of the Regional Solid Waste Management Board.

See A.C.A. § 8-6-701 et seq.

UNACCEPTABLE	<p>Comment</p> <p>Suggesting a link to Arkansas State Code will be unacceptable on future plan updates. Researched responses should be contained either in body of Plan or appended.</p>
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2. Provide a list or an organizational chart of Regional Solid Waste Board Members of the following:

2. Number of members on the Board.
3. Identify of Chairperson.
4. Name, title, address, phone and fax numbers, and e-mail address for each member.
5. County or city represented.

See Attachment 3.

ACCEPTABLE	Comment
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3. Provide the schedule and the location(s) of the Board meetings? (i.e., monthly, every third Tuesday)

Third Thursday of February, May, August and November at 10:30 a.m. in Springdale.

ACCEPTABLE	Comment
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C. Staff

1. Provide a list or an organizational chart of Regional Solid Waste Staff Members showing the name and title for each person.

See Attachment 3.

ACCEPTABLE	Comment
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2. Provide phone and fax numbers and e-mail addresses for staff members who should be contacted for solid waste information for the District.

See Attachment 3.

ACCEPTABLE	Comment
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Section 2.103 Revenues and Expenditures

A. District

1. Describe the revenue sources that fund solid waste management activities within the District. Include the legal authority.

Administrative Recycling Grants
 Local Contributions
 Waste Assessment
 Licensing Fees
 Service Fees
 A.C.A. § 8-6-702

ACCEPTABLE	Comment
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2. List all revenue sources and/or fees, such as user fees, waste disposal fees, licensing fees, grants, loans, rental income, earned interest and sales of recovered materials. Provide an estimation of total receipts from each revenue source from the previous year for the District. Estimate the percentage of annual revenue from each source.

Revenue Source	2003 Amount	%
Grants	\$45,000	7%
Local Contributions	\$162,682	25%
Waste Assessment	\$457,515	70%
Service Fees	\$13,195	2%
Misc Income	\$12,087	2%
Interest	\$7,976	1%
Total	\$653,455	107%

ACCEPTABLE	Comment Total 107% ?
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3. List the solid waste services that are supported by these revenues.

Technical assistance, educational programs, household hazardous waste disposal, electronics recycling, bulky waste collections, rural recycling drives.

ACCEPTABLE	Comment
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4. Provide a report for the most recent fiscal year that identifies solid waste revenues and expenditures for the District. (This report should be an expansion of and be complementary to the annual audit report provided by outside independent auditors.)

See Attachment 4.

ACCEPTABLE	Comment
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B. County

1. For each county within the District, prepare a report that lists the sources of revenue supporting the current solid waste management system for that county.
2. List the solid waste services that are supported by these revenues.

See Attachment 5.

ACCEPTABLE	Comment
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C. City

1. For each Class 1 City within the District, prepare a report that lists the sources of revenues supporting the current solid waste management system for that city.
2. List the solid waste services supported by these revenues.

See Attachment 5

ACCEPTABLE	Comment
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Section 2.104 Demographics

A.C.A. §8-6-704. Boards - Powers and duties. "(a) The regional solid waste management boards shall have the following powers and duties: (1) To collect data, study, and initially evaluate the solid waste management needs of all localities within their districts, as provided in § 8-6-716;....."

A. Planning Area

1. Identify the District by its full name, and list the counties and municipalities that comprise the District.

Tri-County Solid Waste District, comprising Benton, Madison and Washington Counties and the Cities of Gentry, Siloam Springs, Bentonville, Centerton, Rogers, Little Flock, Pea Ridge, Lowell, Springdale, Fayetteville, Johnson, Lincoln, Prairie Grove, Farmington, West Fork and Huntsville.

ACCEPTABLE	Comment
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2. Provide a map clearly showing the jurisdictional areas the District.

Go to http://www.adeq.state.ar.us/solwaste/regional_boards.asp

ACCEPTABLE	Comment Suggesting a link to ADEQ's website will be unacceptable on future plan updates. Researched responses should be contained either in body of Plan or appended.
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3. Include the area of any solid waste management authorities within the District.

Not Applicable

ACCEPTABLE	Comment
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B. Population

- List the most current population of the District (list by county; provide source of information and year). Current populations may be found at www.census.gov/main/cen2000.html or <http://quickfacts.census.gov/qgd/states/0500.html>.

	<u>2000 Census</u>	<u>7/1/03 Estimates*</u>
Benton County	153,406	172,003
Madison County	14,243	14,354
Washington County	<u>157,715</u>	<u>169,683</u>
District Total	325,364	356,040

*AIEA Census State Data Center

ACCEPTABLE	Comment
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- Describe how the population has changed over the last 10 years.

It has grown tremendously. Our 1996 population, based on special census', was 290,527. This represents a 22.5% growth from 1996 to 2003.

ACCEPTABLE	Comment
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- Provide a population projection for the next 10 years.

According to the Northwest Arkansas Regional Planning Commission, our anticipated population in 2008 and 2013 are as follows:

<u>2008</u>	<u>2013</u>
428,954	484,844

ACCEPTABLE	Comment
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- Are there any significant demographic trends that may affect waste disposal or waste generation figures in the District?

Yes. Rapid growth is resulting in rapid increases in waste volumes and large amounts of C&D waste.

ACCEPTABLE	Comment
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- Are large groups of people moving into or out of the area for any special reason?

Not for any special reason.

ACCEPTABLE	Comment
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C. Industry

- Provide a business profile for the District.

See Attachment 6.

ACCEPTABLE	Comment
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2. Identify and discuss regional economic factors that are expected to affect future waste generation rates and quantities over the next 10 years.

A large influx of additional people will result in additional waste generation. In addition, a large amount of C&D waste is expected to be generated due to the large number of homes and office buildings being built to accommodate the rapid growth. Large amounts of commercial office waste, heavy with OCC and office paper is expected to be generated. Industrial waste will not keep pace with the growth in household and commercial waste, as the majority of economic growth is commercial office.

ACCEPTABLE	Comment
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D. Solid Waste Management Facilities

1. List all the landfills (Class I, III, & IV), transfer stations, compost facilities, waste tire processing facilities, collection centers, and any other solid waste management facilities within the District.
- Name of Facility
 - Owner/Operator/Contact
 - Mailing Address/Physical Location/County
 - Phone Number/Fax Number/E-Mail Address
 - Classification of Landfill or Facility Type
 - Jurisdiction/Area Served
 - Approximate Volume Managed Annually
 - Life expectancy of each facility, expressed in years

Go to

http://www.adeq.state.ar.us/solwaste/branch_technical/permitted_facils/permit_list.asp.

ACCEPTABLE	Comment Suggesting a link to ADEQ's website will be unacceptable on future plan updates. Researched responses should be contained either in body of Plan or appended.
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E. Haulers

A.C.A. §8-6-721. Licensing haulers of solid waste. (a) A person who engages in the business of hauling solid waste must obtain a license from the regional solid waste management board if: (1) The person is engaged in the collection of solid waste within the district; or (2) The person is engaged in the transportation of solid waste for disposal or storage in the district.

1. Explain the process by which a person who engages in the business of hauling solid waste obtains a license from the Regional solid Waste Management Board.

Waste Haulers fill out a two page licensing form in May or June of every year. In addition, they provide proof of insurance and information on the locations within the District where they haul. The District provides the haulers with a licensing sticker good for one year from July 1 through June 30.

ACCEPTABLE	Comment
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2. What means does the District use to oversee active licensees? Do regular inspections of the haulers for compliance take place? Are licenses revoked for non-compliance, such as hauling waste without a cover?

The District has an enforcement officer and has established an administrative enforcement structure unique in the State of Arkansas. Haulers who violate District hauling regulations can be assessed administrative penalties and have their license revoked.

ACCEPTABLE	Comment
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3. Include here (or append) a copy of the District's hauler's licensing policy and procedures as well as an updated listing of licensed haulers and service areas.

Policies and procedures can be found in Attachment 2. Hauler service areas and a list of haulers is found in Attachment 7.

ACCEPTABLE	Comment
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F. Volumes

A.C.A. §8-6-716. *Regional needs assessment.(a)...(2) The assessment shall include, at the minimum, the following:*

(A) *An evaluation of the amount of solid waste generated within the district and the amount of remaining disposal capacity, expressed in years, at the solid waste disposal facilities within the district that are permitted under the Arkansas Solid Waste Management Act, § 8-6-201 et seq.;*

1. Provide a waste stream characterization with data concerning waste types and amounts generated and disposed within the district and/or waste transported out of district for disposal.

See Answers below.

ACCEPTABLE	Comment Even though some questions may appear redundant, please respond to each for searchable database purposes on future updates.
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2. For the most recent calendar year, how many tons of solid waste were generated within the District and disposed in Class I Landfills or other solid waste management facilities located in or out of the District?

346,045 tons of waste was generated within the District in 2003. Of this figure, 258,778 tons were disposed of in-district and 87,267 tons were disposed of out-of-district.

ACCEPTABLE	Comment
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3. Examine and discuss the trends regarding the sources of solid waste generated using the following categories: Answers below were calculated using the above generation figures combined with the latest information from the EPA.
 - a. Residential – 157,245 tons in 2003
 - b. Commercial – 128,655 tons in 2003
 - c. Industrial – 60,145 tons in 2003

ACCEPTABLE	Comment Trends should be discussed on future updates.
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4. Examine and discuss the trends regarding the types of solid waste generated using the following categories:
 - a. Yard waste – 34,880 tons in 2003
 - b. Construction/Demolition waste - unknown
 - c. Tires – 391,686 from Oct. 2003 – Sept. 2004.
 - d. Recyclables – 79,614 tons recycled from Jul. 2003 – Jun. 2004.
 - e. White goods – 6,113 tons recycled from Jul. 2003 – Jun. 2004
 - f. Municipal solid waste - 285,900 tons in 2003.

ACCEPTABLE	Comment Trends should be discussed on future updates
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5. Has the waste stream increased or decreased over the last five years. Provide an explanation.

It has increased, due mainly to massive population growth, heavy commercial development generating vast amounts of waste paper, and numerous new construction resulting in large quantities of C&D debris.

ACCEPTABLE	Comment
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6. Project the waste stream for the next five years. Support your projections.

We anticipate approximately 5% growth in MSW over the next five years, due to the factors listed in No. 5 above.

2004	2005	2006	2007	2008
360,340	375,350	391,110	407,658	425,034

ACCEPTABLE	Comment
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G. Flow

A.C.A. §8-6-716. Regional needs assessment.(a)...(2) The assessment shall include, at the minimum, the following:

An evaluation and balancing of the environmental, economic, and other relevant factors which would be implicated by acceptance of solid waste from beyond the boundaries of the district.

1. Evaluate the environmental, economic, and any other factors that are affected by the acceptance of solid waste from beyond the boundaries of the District and the transfer of solid waste outside the District.

Very little waste is brought into our District from outside the District. At present, the only significant source of out-of-District waste is from the City of Harrison and accounts for between 3-4% of our total waste stream. Approximately 25% of our waste stream is delivered to disposal sites outside the District. Because of the fragile nature of the geology in Northwest Arkansas, this has a beneficial effect on our environment by reducing the amount of material landfilled in a karst environment. The economic effect is minimal, amounting only to lost revenue to Waste Management and lost host fees to the City of Tontitown.

ACCEPTABLE	Comment
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3. Include here (or append) the District's policy and procedures pertaining to waste flow issues.

The District has adopted a policy opposing any further Class 1 landfill development within the District boundaries. Our planning strategy is the development of sufficient transfer station capacity to handle the region's waste and transfer of waste to out of district disposal sites situated in more suitable geologic areas.

ACCEPTABLE	Comment
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H. Economic Impact

1. To the best of your ability, list the costs involved for both public and private solid waste services, facilities, and programs provided by the District or by others within the District. The list should include all direct and indirect costs; it should cover collection, transportation, intermediate processing and handling, recycling, composting, problem waste handling, and disposal. Include capital cost considerations, staffing requirements, and operating expenses.

It is impossible for us to even begin to try and answer this question.

ACCEPTABLE	Comment
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2. Is the current system satisfactory? If not, what corrective measures are being undertaken?

Yes.

ACCEPTABLE	Comment
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3. What new expenses and/or new fees or revenues are needed or anticipated?

None at this time.

ACCEPTABLE	Comment
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4. List any jobs created and maintained in market development.

0

ACCEPTABLE	Comment
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5. List any jobs created and maintained in waste tire management.

4

ACCEPTABLE	Comment Please list the jobs in future updates.
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6. List any jobs created and maintained in recycling.

108

ACCEPTABLE	Comment Please list the jobs in future updates.
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7. List any jobs created and maintained in solid waste management.

304

ACCEPTABLE	Comment Please list the jobs in future updates.
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8. Are any of these areas showing growth? Explain.

Recycling and solid waste management are showing growth. Other areas appear flat.

ACCEPTABLE	Comment
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9. Are any of these areas showing decline? Explain.

No.

ACCEPTABLE	Comment
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Section 2.105 Current Services

A.C.A. §8-6-704. Boards - Powers and duties. "(a) The regional solid waste management boards shall have the following powers and duties:

- (1) To collect data, study, and initially evaluate the solid waste management needs of all localities within their districts, as provided in § 8-6-716, and to publish their findings as a regional needs assessment;
- (2) To evaluate on a continuous basis the solid waste needs of their districts, and thereby update the regional needs assessments at least biennially;
- (3) To formulate recommendations to all local governments within their districts on solid waste management issues, and to formulate plans for providing adequate solid waste management.....”

A.C.A. §8-6-710. Solid waste management responsibility. (a)(1) Each regional solid waste management board shall be the governmental entity primarily responsible for providing a solid waste management system for the district.

A. Collection Services

1. Describe the role the District plays in the development and implementation of collection services.

The District assists cities and counties in developing collection strategies and obtaining services on an as needed basis.

ACCEPTABLE	Comment Please expand response on future updates.
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2. List all counties and/or municipalities in the District that have door-to-door/curbside collection service. Include populations.

See Attachment 8.

ACCEPTABLE	Comment
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3. Include the funding mechanism that provides the service (county tax, water bill, etc.).

All collection services within in the District are on a billed basis.

ACCEPTABLE	Comment
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4. What types of services do the counties or municipalities rely on for collection services?

See Attachment 8.

ACCEPTABLE	Comment
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5. Whose responsibility is it to arrange for collection in each county?

Within the unincorporated areas of the counties, it is the residents responsibility to obtain trash service. In most of the incorporated areas, the municipality has made arrangements for trash collection.

ACCEPTABLE	Comment
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6. Is participation mandatory or voluntary?

In most of the incorporated areas, participation is mandatory. In some incorporated areas and in all unincorporated areas, participation is voluntary.

ACCEPTABLE	Comment
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7. What is the percentage of the District's residents that do not participate in a collection service?

We estimate that 16% of District residents do not participate in a collection service.

ACCEPTABLE	Comment
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8. List all counties and/or municipalities within the District that do not have access to some type of collection service or access to inadequate collection service. Include populations.

Adequate collection is available to every resident who chooses to use one.

ACCEPTABLE	Comment
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9. Is there a system that works well within the District? Explain.

All of the systems work well for the residents they serve.

ACCEPTABLE	Comment
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10. Describe progress and setbacks in collection service efforts within the District.

The District has worked closely with the private haulers to ensure that collection service is available to every resident. We continue to promote Pay-As-You-Throw pricing and many haulers have already implemented it.

ACCEPTABLE	Comment
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11. Provide a description of educational and technical services provided by the District as they relate to collection services.

The District runs two ads every week in the Star Shopper, a free weekly paper with District-wide coverage. Several of these ads are directly related to waste collection services. We also maintain a list of licensed haulers on our web site. Finally, we have business cards that promote waste hauling services that are available to residents.

ACCEPTABLE	Comment
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12. Include here (or append) the District's policy and procedures pertaining to collection issues. Provide a brief explanation of what works well and what still needs problem resolution.

The District has no specific policy or procedure pertaining to collection issues. A copy of our waste hauling regulations is attached. Mandatory collection systems work well in our incorporated, but are not currently feasible in the unincorporated areas. In those areas, voluntary collection is available to every resident.

ACCEPTABLE	Comment
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13. Provide an Evaluation of Solid Waste Collection Needs within the District.

At present, our solid waste collection needs are being met. It is likely that at some point in the future, mandatory collection will become the norm in the unincorporated areas, but not in the foreseeable future.

ACCEPTABLE	Comment
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B. Disposal Services

A.C.A. §8-6-704. Boards - Powers and duties. "(a) The regional solid waste management boards shall have the following powers and duties:

(4) To issue or deny certificates of need to any applicant for a solid waste disposal facility permit within their districts with the exception of permits for landfills when a private industry bears the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry or wastes of a similar kind or character;..."

1. Describe the role the District plays in the development and implementation of disposal services.

This District's policy is for no further development of disposal capacity within the District boundaries, due to unsuitable environmental conditions. Rather, our policy is for the development of adequate transfer capacity, with disposal at landfills in surrounding areas.

ACCEPTABLE	Comment
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2. Does the District own and/or operate and/or partner with others on any disposal facilities?

The District is currently developing a transfer station in western Washington County.

ACCEPTABLE	Comment
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3. What part does the District play in the disposal of wastes for its citizens?

As stated above, the District is working to ensure adequate transfer capacity within the District to handle all waste being generated.

ACCEPTABLE	Comment
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4. What counties or municipalities own and/or operate and/or partner with others on any disposal facilities?

The City of Siloam Springs owns and operates a transfer station. The City of Fayetteville owns a transfer station and partners with Waste Management for its operation. Madison County owns and operates a transfer station.

ACCEPTABLE	Comment
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5. What part do the counties or municipalities play in the disposal of wastes for its citizens?

None, other than as described in number 4 above.

ACCEPTABLE	Comment
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6. Describe progress and setbacks in disposal service efforts within the District.

With the completion of the West Washington County Transfer Station, our transfer station needs will be met. However our objective of no further landfill development has been hampered by ADEQ's decision to overturn our denial of a Certificate of Need to the Waste Management Tontitown Landfill.

ACCEPTABLE	Comment
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7. Provide a description of educational and technical services provided by the District as they relate to disposal services.

We have no specific educational services relating to disposal services. We list all transfer station and landfills on our web sites. We provide technical assistance to communities wanting assistance with the development or operation of transfer stations.

ACCEPTABLE	Comment
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8. Include here (or append) the District's policy and procedures pertaining to waste disposal services.

We have no specific policy or procedure pertaining to waste disposal services, other than as described above.

ACCEPTABLE	Comment
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9. Provide an Evaluation of Solid Waste Disposal Needs within the District

Because our District is unsuitable from an environmental perspective for the further development of landfill capacity, we intend to satisfy our disposal needs through the use of a series of transfer stations utilizing disposal capacity at nearby out-of-district disposal facilities. With the completion of the West Washington County Transfer Station, our transfer capacity needs will be met for the foreseeable future.

ACCEPTABLE	Comment
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C. Recycling Services

A.C.A. §8-6-704. Boards - Powers and duties. "(a) The regional solid waste management boards shall have the following powers and duties: (7) To establish programs to encourage recycling;....."

A.C.A. §8-6-720. Opportunity to recycle - Recyclable materials collection (a)(1) Beginning July 1, 1992, each regional solid waste management board shall ensure that its residents have an opportunity to recycle. "Opportunity to recycle" means availability of curbside pickup or collection centers for recyclable materials at sites that are convenient for persons to use.....et al."

1. Describe the role the District plays in the development and implementation of recycling services.

The District takes both a direct and indirect role in the development and implementation of recycling services. We are currently developing a MRF at the WWC facility. In addition, we provide technical assistance to anyone seeking help. We also coordinate periodic meetings of all facility operators for networking purposes.

ACCEPTABLE	Comment
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- Does the District (County or Municipality within) have a recycling coordinator?

Within the District, the Deputy Director for Operations has responsibility for recycling activities. While not using that title, the Cities of Fayetteville, Siloam Springs and Rogers all have people that do marketing of recyclables, as does Madison County.

ACCEPTABLE	Comment
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- Provide a description of each recycling project within the District.

Processing facilities, capable of baling and marketing materials are located in Huntsville, Fayetteville, Prairie Grove, the University of Arkansas, Rogers (2), Siloam Springs and Bella Vista. The Huntsville and one Rogers facility have the capability of handling co-mingled recyclables. There are also numerous private recycling operations too numerous to mention, that handle commercial paper and cardboard accounts. Washington County and the District also provide rural drop-off collections of recyclable materials in five communities and at several Washington County Schools.

ACCEPTABLE	Comment
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- Include recycling and marketing efforts on the part of local programs, their principal end-users, and successes and failures.

See answer to No. 3 above.

ACCEPTABLE	Comment
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- A.C.A. §8-6-720 requires that at least one Recyclable Materials Collection Center be established in each county of a District unless the Arkansas Pollution Control and Ecology Commission grants the Board an exemption. List the facilities and their locations.

Bella Vista Community Recycling
6 Joanie Lane
Bella Vista, AR

Rogers Community Recycling
315 W. Olive
Rogers, AR

Recycle America
3511 Arkansas
Rogers, AR

City of Fayetteville
1455 S. Happy Hollow Road
Fayetteville, AR

Madison County Recycling
173 Madison 6553
Huntsville, AR

Siloam Springs Recycling
745 E. Tahlequah

Siloam Springs, AR

Prairie Grove Recycling
130 S. Neal
Prairie Grove, AR

University Recycling
521 S. Razorback
Fayetteville, AR

ACCEPTABLE	Comment
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6. List composting facilities in the District.

Northwest Arkansas Recovery
Lincoln, AR

City of Fayetteville Composting
Fayetteville, AR

City of Bentonville Composting
Bentonville, AR

Waste Management
Tontitown, AR

ACCEPTABLE	Comment
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7. Provide the volume and types of materials that were recycled in the District during the previous year.

This information is not available on a calendar year basis. Please refer to the Regulation 28 reports submitted for July 2003 – June 2004.

ACCEPTABLE	Comment
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8. Do counties and/or municipalities in the District cooperate on recycling and marketing efforts?

Yes.

ACCEPTABLE	Comment
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9. Describe progress and setbacks in recycling and marketing efforts by the District.

Because of the long history of recycling in this area, we have a number of markets available to us. As with all recycling facilities, the vagaries of the commodities market makes it difficult to plan financially. Through a combination of permanent facilities, curbside programs and rural drop-offs, we have recycling available within 15 miles of every resident.

ACCEPTABLE	Comment
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10. Provide a description of educational and technical services provided by the District as they relate to recycling services.

We publish a recycling guide to the District, called Northwest Arkansas Recycles. This document is now in it's 12th edition. We also provide technical assistance to anyone who requests it.

ACCEPTABLE	Comment
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11. Include here (or append) the District's policy and procedures pertaining to recycling issues.

The District has no specific policy or procedure pertaining to recycling issues.

ACCEPTABLE	Comment
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12. Provide an Evaluation of Recycling Needs within the District.

Recycling needs are being met very well within the District. As this area continues to grow at a phenomenal rate, an increased capacity to handle commingled recyclables will be necessary. Use of a regional recycling facility may take this region to the next level in recycling infrastructure.

ACCEPTABLE	Comment
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13. Complete and append the annual reporting forms specific to the District's Recycling Program. (Recycling Program reporting forms shall be supplied separately from the Recycling Branch of the Arkansas Department of Environmental Quality, Solid Waste Management Division).

ACCEPTABLE	Comment
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NOTE: If any of the responses to the questions listed above are also covered in the Recycling Program's reporting forms, please disregard the questions listed above and supply the responses on the forms themselves. This shall serve as the annual Recycling Program reporting required of Districts under statute and Regulations 11 and 28.

Completed reporting forms particular to the District's recycling program shall become an integral to the District's originally approved plan, and shall be required to be updated and submitted along with the Annual Report. (This does not apply to forms relating to recycling grant requests and disbursements.)

D. Waste Reduction Services

A.C.A. §8-6-711. District solid waste management system. (a) A district is authorized to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning, or otherwise deal in facilities of any nature necessary or desirable for the control, collection, removal, reduction, disposal, treatment, or other handling of solid waste.

1. Describe the role the District plays in the development and implementation of waste reduction services.

The District promotes waste reduction through free waste audits for businesses and industries. Waste reduction and reuse are also promoted as a part of our integrated waste management outreach programs.

ACCEPTABLE	Comment
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2. List the waste reduction programs within the District. Include the following:

There are no specific waste reduction programs within the District.

- a. Is the program publicly or privately sponsored.
- b. Is the program open to all or to a limited group.
- c. Are materials dropped off or picked up.
- d. Is the program curbside.
- e. Is the owner/sponsor a for-profit collector or end-user.
- f. Is the program an in-house industrial, commercial, or government reduction program; etc.

UNACCEPTABLE	Comment Should they list information about reuse programs, they have been promoting reuse of household chemicals, is the recycling information enough?
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3. Describe progress and setbacks in waste reduction efforts in the District.

The District has been very successful in accomplishing waste reduction at those entities that have sought our assistance. The biggest obstacle to waste reduction is the ability to reach more entities.

ACCEPTABLE	Comment
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4. Provide a description of educational and technical services provided by the District as they relate to waste reduction activities or actions.

As stated above, the District provides free waste audits to anyone requesting them.

UNACCEPTABLE	Comment Does this answer the question?
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5. Provide an Evaluation of Waste Reduction Needs within the District.

Our waste reduction needs are currently being met.

UNACCEPTABLE	Comment Does this answer the question?
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E. Special Materials Services

A.C.A. §8-6-710. Solid waste management responsibility. (a)(1) Each regional solid waste management board shall be the governmental entity primarily responsible for providing a solid waste management system for the district.

1. Illegal Disposal Services

a. Illegal Dumping Services

- i. Describe the role the District plays in the development and implementation of Illegal dump control services.

The District has an Enforcement Officer position that handles illegal dumping issues, *inter alia*.

ACCEPTABLE	Comment
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- ii. Does the District (or County or City within the District) have a licensed Illegal Dumps Control Officer on staff? If yes, give name and contact information.

The District recently hired a new enforcement officer, who has not completed the training required to be licensed as an Illegal Dumps Enforcement Officer.

ACCEPTABLE	Comment
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- iii. How are illegal dumps identified?

Through complaints and personal observation.

ACCEPTABLE	Comment
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- iv. Who is responsible for the closure of open dumps located within the District?

The responsible parties. The District and counties also coordinate to clean up illegal dumps on public property.

ACCEPTABLE	Comment
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- v. What means are utilized for site cleanups?

We attempt to obtain voluntary cleanup by the responsible party. If unsuccessful, we may resort to enforcement actions to force cleanup. In some instances, the District and/or county may institute cleanup of a site.

ACCEPTABLE	Comment
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- vi. What enforcement programs or policies are in place?

The District has recently established an administrative enforcement program. In addition, we may resort to civil actions to effectuate cleanup of a site. We seek to obtain voluntary cleanup in the first instance.

ACCEPTABLE	Comment
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- vii. How are illegal dump inventories, enforcement and/or site cleanups funded?

Through general revenues.

ACCEPTABLE	Comment
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- viii. Approximately how many sites were cleaned up last year?

Unknown. Site cleanups in 2003 were conducted by Benton County and Washington County.

ACCEPTABLE	Comment
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- ix. Approximately how many current dump sites are located within the District.

Unknown. The District has knowledge of seven illegal dumps at this time.

ACCEPTABLE	Comment
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- x. Provide approximate locations of the illegal dump sites known to be located within the District.

See Attachment 9.

ACCEPTABLE	Comment
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- xi. Describe progress and setbacks in illegal dumping service efforts within the District.

Benton and Washington Counties have dedicated resources to illegal dumping for several years. Both programs have been successful in obtaining cleanup of illegal dumping sites, generally through coercion. Both programs have also pursued legal action into the court system. The District hired an enforcement officer in early 2003. We have also been fairly successful in obtaining cleanup of illegal dumps by coercion. We have yet to pursue a formal enforcement action. Great strides have been made to obtain cleanup of illegal dumps in Northwest Arkansas. Our greatest setback is lack of enforcement authority. Our recourse is typically to the courts and the prosecutors and judges tend to downplay the seriousness of the offenses. Costs of private action limits us to pursuing only the most flagrant and large violators.

ACCEPTABLE	Comment
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- xii. Provide a description of educational and technical services provided by the District as they relate to illegal dump control services.

Part of the District's routine advertising program includes ads that remind residents not to illegally dump trash with contact information for finding a local hauler. In addition, the District utilizes its bulky truck to assist county governments with the cleanup of illegal dumps.

ACCEPTABLE	Comment
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xiii. Provide an Evaluation of illegal dump Needs within the District.

Our greatest need is time to get experience in enforcement matters and money to dedicate to illegal dump cleanups. In addition, Districts need to be given enhanced enforcement authority. At present, our authority is less than that given to counties.

ACCEPTABLE	Comment
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b. Litter Services

i. Describe the role the District plays in the development and implementation of litter control services.

This District makes no distinction between illegal dumping and littering.

ACCEPTABLE	Comment
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ii. Describe how roadside litter is addressed in the District's service area.

UNACCEPTABLE	Comment No response
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iii. List counties or municipalities in the District that have litter clean-up and prevention programs in place.

See Attachment 5.

ACCEPTABLE	Comment
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iv. Describe progress and setbacks in illegal dumping service efforts within the District.

UNACCEPTABLE	Comment No response
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v. Provide a description of educational and technical services provided by the District as they relate to litter control services.

UNACCEPTABLE	Comment No response
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vi. Provide an Evaluation of litter Needs within the District.

UNACCEPTABLE	Comment No response
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c. Open Burning Services

i. Describe the role the District plays in the development and implementation of open burning services.

The District actively discourages open burning within the District.

ACCEPTABLE	Comment
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- ii. Identify any ordinances in the District, counties, and/or municipalities that address open burning.

See Attachment 5.

ACCEPTABLE	Comment
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- iii. Describe any enforcement programs in place.

The District's Enforcement Officer responds to open burning complaints. We first seek to obtain voluntary compliance. Repeat offenders may be subject to enforcement actions.

ACCEPTABLE	Comment
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- iv. Describe progress and setbacks in illegal dumping service efforts within the District.

The District has made strides in moving residents away from the open burning of trash. However, old habits die hard.

ACCEPTABLE	Comment
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- v. Provide a description of educational and technical services provided by the District as they relate to open burning services

The District publishes a brochure on the hazards of open burning and also runs an open burning ad in the Star Shopper. In addition, we have recorded a PSA that warns of the hazards of open burning. The District has also developed an Open Burning Toolkit for use in schools that consists of lesson plans, posters and a video. This toolkit was developed in conjunction with the U.S. Environmental Protection Agency and the Phillips Petroleum Company.

ACCEPTABLE	Comment
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Provide an evaluation of open burning needs within the District.

We need to continue our efforts to educate residents about the dangers of open burning and the availability of alternatives.

ACCEPTABLE	Comment
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2. Waste Tire Services

A.C.A. §8-9-405. Waste tire grants. "(a) The Arkansas Department of Environmental Quality shall, by July 1, 1992, establish a program to make waste tire grants to regional solid waste management boards which desire, individually or collectively, to: (1) Construct or operate, or contract for the construction or operation of, a waste tire processing facility and equipment purchases therefor;.....et al."

a. Waste Tire Program Services

- i. Describe the role the District plays in the development and implementation of waste tire management program services.

The District has established a series of collection centers for waste tires. We also contract with a private entity for the collection, transportation and disposal of all waste tires generated within the District.

ACCEPTABLE	Comment
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- ii. Describe the District's current waste tire collection, transportation and disposal program.

The District operates 10 collection centers. Dealers and residents bring tires to the collection centers and load them into van trailers. When full, our contractor pulls the full trailer and places an empty trailer in its place. The contractor transports the tires to their collection center where they are unloaded, sorted by size and reloaded onto trailers. The tires are then transported to disposal/recycling facilities. At present, our tires are going to a cement kiln in Oklahoma, one of two different crumb rubber facilities in Oklahoma, or Davis Rubber in Little Rock.

ACCEPTABLE	Comment
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- iii. Does the program adequately serve the needs of the District? If not, what corrective measures are being undertaken?

This program is more than adequate to meet the needs of the District.

ACCEPTABLE	Comment
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- iv. List the waste tire collection centers for each county. Include the physical location. List the days and times of operation.

See Attachment 10.

ACCEPTABLE	Comment
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- v. List the waste tire processing facility(ies) used by the District. Include the physical location.

UNACCEPTABLE	Comment ii does not specifically list the facility names, except for Davis Rubber, and the physical locations are not given for the facilities.
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- vi. If a waste tire processing facility is not used, list the type of facility that is used. Include the physical location.

ACCEPTABLE	Comment
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- vii. Describe progress and setbacks in waste tire program service efforts within the District.

The District hired a new waste tire contractor in 2003. Our rates for disposal dropped significantly, especially with respect to large truck tires.

ACCEPTABLE	Comment
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- vi. Provide a description of educational and technical services provided by the District as they relate to waste tire management program services.

The District published a brochure on our waste tire program. In addition, we run periodic ads in the Star Shopper and maintain a page on our web site devoted to the waste tire program.

ACCEPTABLE	<p>Comment Could have mentioned the District co-sponsoring of educational events such as the Regional Scrap Tire Conference.</p>
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vii. Provide the process by which tires are managed within the District.

See the answer to paragraph ii, above.

ACCEPTABLE	<p>Comment</p>
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viii. Append current contract(s) of waste tire management services, including sub-contracting or transporting, collection and/or processing or disposal services.

UNACCEPTABLE	<p>Comment Did not include copies of contract(s).</p>
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ix. Include here (or append) the District's policy and procedures pertaining to waste tire issues.

The District has no specific policy or procedure pertaining to waste tire issues.

UNACCEPTABLE	<p>Comment Should include some sort of basic policy or procedure even if it only pertains to regulation references.</p>
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x. Provide an evaluation of waste tire needs within the District.

The District's waste tire needs are currently being met in outstanding fashion.

ACCEPTABLE	<p>Comment</p>
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b. Waste Tire Counting Services

i. Describe the role the District plays in maintaining waste tire counts.

The District requires the use of waste tire manifests in its system.

ACCEPTABLE	<p>Comment</p>
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ii. Describe the manifesting, accounting, or tire count process.

When anyone delivers tires to a collection center, they are required to fill out a waste tire manifest. The only exception is residents delivering 4 or fewer tires at no charge. These numbers are kept on a separate sheet. The collection center then delivers copies of the manifests to the District when the trailer is swapped out. The District uses these manifests to create invoices for waste tire disposal.

ACCEPTABLE	<p>Comment</p>
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iii. List the number and types of tires generated during the previous calendar year.

ACCEPTABLE	<p>Comment Answered in iii below.</p>
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i. List the number and types of tires processed during the previous calendar year.

ACCEPTABLE	Comment (duplicate question)
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- ii. List the number and types of tires disposed during the previous calendar year.

ACCEPTABLE	Comment (duplicate question)
------------	---------------------------------

- iii. List the number and types of tires stored at the end of the previous calendar year.

During 2003, the District collected, processed and disposed of 291,356 passenger tires, 45,703 large truck tires and 837 off-road tires.

UNACCEPTABLE	Comment Did not answer question. Question pertains to tires stored at end of previous year.
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- iv. Describe the type of disposition and give the percent of each type of disposition (i.e., 80% TDF; 20% waste tire chip aggregate).

UNACCEPTABLE	Comment Did not provide the information requested.
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- v. Describe progress and setbacks in waste tire count efforts within the District

The District has worked diligently with the tire dealers in establishing a comprehensive tire manifest system. The biggest setback in tire counting is the structure of the state's tire program as it relates to waste truck tires. By trying to utilize the same system as used for passenger tires, the state has created a situation that is not effective for large truck tires. This is due to the fact that tires are not sold by the retreaders, but rather by the tire manufacturers directly. Yet it is the tire retreaders and not the manufacturers who are responsible for the disposal of the scrap tires.

ACCEPTABLE	Comment The last two sentences are worded in such a manner that the reviewer could not determine the intent. Department would like further discussion on these items.
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- vi. Provide an evaluation of waste tire count needs within the District

The District's waste tire counting needs are being adequately met.

ACCEPTABLE	Comment
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c. Waste Tire Site Control Services

- i. Describe the role the District plays in the development and implementation of waste tire site control services.

The District investigates any illegal tire site reported to it.

ACCEPTABLE	Comment Additional detail is needed in future updates.
------------	---

- ii. Describe what the District is doing to control dumping of waste tires.

Upon investigation of an illegal tire site, the District first attempts to obtain voluntary cleanup of the site. If this is unsuccessful, the District evaluates the site for suitability of an abatement action. Because the District generates additional revenue under its waste tire program, excess funds are used to abate illegal tire sites without the need to seek additional abatement grants from the State.

ACCEPTABLE	Comment
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- iii. For each prior calendar year, provide a list of the number of waste tire sites abated, locations, number and types of tires for each site, and the cost of cleanup of each site. (This information is used for the national report to the Rubber Users Directory.)

Pendergast
Location
7335 pass, 209 lg truck & 10 off-road tires
\$11,400.84

Smith
Hwy 412 east of Siloam Springs
11,541 pass, 1189 lg truck & 14 off-road tires
\$17,540.76

UNACCEPTABLE	Comment Did not provide location of the Pendergast site
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- iv. Describe how the District inventories waste tire sites.

The District responds to waste tire complaints as they are received. They are treated as any other illegal dumping complaint.

ACCEPTABLE	Comment In updates, please respond to each question individually.
------------	--

- v. How many waste tire sites are currently known to exist within the District? List and give approximate locations, rank the sites in order of abatement urgency and specify potential risks to human health and the environment. Provide photos where available. Provide estimates of the number and types of tires at each site. Provide estimates of the cost to clean up each site. Identify for each site whether or not the District will need to apply for abatement funds to clean up the site. Provide a timeline to eliminate known waste tire sites.

Marsh's Racing Tires
Siloam Springs, AR
Vectors and Fire
Approx: 25,000 tires remain
Mr. Marsh is under court order to clean up the site. This District is not involved in this cleanup action.

Graham Salvage
Forum, AR
Vectors
Approx: 3,500 tires
This site is currently undergoing cleanup.

Fisher
Gentry, AR
Vectors
Approx: 3,000 tires
This site will be cleaned up by the District during 2004.

Stival
Goshen, AR

Vectors
 Approx: 2,000 tires
 This site has been referred to ADEQ for enforcement.

ACCEPTABLE	Comment
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vi. Describe progress and setbacks in waste tire site control service efforts.

With recent changes to the waste tire program funding, the District now has a surplus of funds available to use for abatement of small waste tire sites. No uncontrolled large sites now are known to exist within the District.

ACCEPTABLE	Comment
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vii. Provide an evaluation of waste tire site needs within the District

Waste Tire site needs are currently being met within the District.

ACCEPTABLE	Comment
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NOTE: Responses to Waste Tire questions in the originally approved Plan and in subsequent Annual Reports shall serve as the annual Waste Tire Site Report required of Districts under statute and Regulation 14. (Separate reports will still be required for quarterly waste tire grant disbursements and for permitted waste tire facilities owned by Districts.) (Applications will still be required for waste tire grants.)

3. Batteries Services

a. Describe the role the District plays in the development and implementation of lead-acid battery services.

See responses to HHW section.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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b. Briefly describe how discarded lead-acid batteries are being managed in the District, by County.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
--------------	--

c. Describe any programs that manage and recycle household batteries.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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d. Describe progress and setbacks in battery service efforts within the District.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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e. Describe educational and technical services provided that relate to lead-acid battery services.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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f. Provide an evaluation of waste battery needs within the District

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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4. Waste Oil Services

- a. Describe the role the District plays in the implementation of waste oil services.

See responses to HHW section.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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- b. Briefly describe how waste oil and other automotive fluids are currently managed in the District, by county.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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- c. Report the quantity of oil recovered during the previous calendar year.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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- d. Describe progress and setbacks in waste oil service efforts within the District.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
---------------------	---

- e. Provide a description of educational and technical services provided by the District as they relate to waste oil services.

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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- f. Provide an evaluation of waste oil needs within the District

UNACCEPTABLE	Comment In updates, please respond to each question individually.
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5. Medical Waste Services

- a. Describe the role the District plays in the development and implementation of medical waste services.

The District has no role in the management of medical waste.

ACCEPTABLE	Comment
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- b. Describe briefly how medical waste is currently managed in the District and/or county.

UNACCEPTABLE	Comment In updates, please provide description.
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- c. Describe progress and setbacks in medical waste service efforts within the District.

ACCEPTABLE	Comment
-------------------	----------------

- d. Provide a description of educational and technical services provided by the District as they relate to medical waste services.

ACCEPTABLE	Comment
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- e. Provide an evaluation of medical waste needs within the District

UNACCEPTABLE	Comment Do we need a plan?
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6. Hazardous Waste Services

If not related to household use, Districts do not play any role in the development or implementation of hazardous waste services. Any questions that arise should be referred to the Hazardous Waste Division of the Department of Environmental Quality.

ACCEPTABLE	Comment
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7. Household Hazardous Waste Services

- a. Describe the role the District plays in the development and implementation of household hazardous chemical waste services.

The District has established a comprehensive HHW management program. Seven permanent collection sites are available to residents year-round at no charge.

ACCEPTABLE	Comment
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- b. Describe briefly how household chemicals are currently managed in the District and/or county.

The District operates seven HHW collection centers in cooperation with local partners. These sites are operated year-round. Residents may bring their HHW to the centers for disposal at no charge. Our contractor then services the centers and delivers the waste to their facility in Rogers, Arkansas. Wastes are compiled and sent for recycling, beneficial reuse, or, as a last resort, disposal.

ACCEPTABLE	Comment
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- c. List household hazardous waste collection activities or locations within the District.

Siloam Springs Transfer Station
 Haz-MERT, Rogers, AR
 Washington County, Fayetteville, AR
 Springdale Street Department
 Madison County Solid Waste, Huntsville, AR
 Madison County Solid Waste, St. Paul, AR

ACCEPTABLE	Comment
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- d. Describe progress and setbacks in household hazardous waste collection service efforts within the District.

The District has the most comprehensive HHW collection program in the State of Arkansas. This program has grown nearly every year since it's inception in 1999.

ACCEPTABLE	Comment
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- e. Provide a description of educational and technical services provided by the District as they relate to household hazardous chemical waste services.

The District publishes two brochures relating to the HHW program. In addition, we run periodic ads in the Star Shopper and other newspapers and have recorded a PSA concerning the HHW program.

ACCEPTABLE	Comment
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8. Waste Electronics Services

- a. Describe the role the District plays in the development and implementation of waste electronics services.

The District handles waste electronics in conjunction with the HHW program.

ACCEPTABLE	Comment
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- b. Does the District have a waste electronics collection and/or recycling center? If yes, please describe.

They are located at each HHW center.

ACCEPTABLE	Comment
------------	---------

- c. Describe progress and setbacks waste electronics service efforts within the District.

The District again has an extensive program for waste electronics recycling, maintaining seven different drop-off sites.

ACCEPTABLE	Comment
------------	---------

- d. Provide a description of educational and technical services provided by the District as they relate to waste electronics services.

The District runs periodic ads in the Star Shopper and other newspapers. The District has recorded a PSA concerning electronics disposal.

ACCEPTABLE	Comment
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- e. Provide an evaluation of waste electronic needs within the District.

Electronic disposal needs are being met in the District.

ACCEPTABLE	Comment
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9. Construction and Demolition Waste Services

- a. Describe the role the District plays in the development and implementation of construction and demolition waste services.

The District does not take an active role in C&D waste services.

ACCEPTABLE	Comment
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- b. Describe briefly how construction and demolition waste is currently managed in the District and/or each county.

C&D waste is either disposed of in a Class 1 or Class 4 landfill.

ACCEPTABLE	Comment
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- c. Describe progress and setbacks in construction and demolition service efforts within the District.

N/A

ACCEPTABLE	Comment
------------	---------

- d. Provide a description of educational and technical services provided by the District as they relate to construction and demolition waste services.

N/A

ACCEPTABLE	Comment
------------	---------

- e. Provide an evaluation of construction and demolition waste needs within the District

C&D management is an area with a tremendous potential for growth. The major hurdle in implementing a C&D management program is the availability of cheap disposal. As disposal prices rise, we can expect to see a renewed interest in C&D recycling. The District's past efforts at promoting C&D recycling were met with skepticism and hostility by the building industry. Hopefully, private interests will arise to provide a cost effective solution to this issue.

ACCEPTABLE	Comment
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10. Other Solid Wastes Services

- a. Describe the role the District plays in the development and implementation of services for any other solid wastes not previously covered in this document.

UNACCEPTABLE	Comment Response needed.
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- b. Does the District have a problem that has not been specifically address in statute, regulation, or guidelines (white goods, abandoned cars, pallets, wood waste, etc.)?

UNACCEPTABLE	Comment Response needed.
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- c. Is there a program in place for developing a system that could be included with the plan?

UNACCEPTABLE	Comment Response needed.
--------------	-----------------------------

- d. Describe progress and setbacks in other waste service efforts within the District.

UNACCEPTABLE	Comment Response needed.
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- e. Provide a description of educational and technical services provided by the District as they relate to services for other solid wastes identified herein.

UNACCEPTABLE	Comment Response needed.
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- f. Provide an evaluation of other solid waste needs within the District

UNACCEPTABLE	Comment Response needed.
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F. Education and Public Awareness Services

1. District's Role

Describe the role the District plays in the development and implementation of education and public awareness services.

The District has a long and active role in education and public awareness. We have a full time Public Education Coordinator position. In addition, we provide up to \$5,000.00 in matching funds each year to each of the three counties to help support local educators. We issue mini-grants totaling \$3,500 each year to schools to create or enhance recycling programs. We conduct teacher workshops to instruct teachers in teaching solid waste management. We speak to school and civic groups on a regular basis. We publish a number of brochures and newsletters on various topics of solid waste management and recycling. And we maintain a web site with up-to-date information.

ACCEPTABLE	Comment
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2. Active Persons/Organizations

List persons or organizations active in efforts to educate the public regarding solid waste issues in the District.

District Public Education Coordinator
Madison County Educator
Benton County Educator
Washington County Education
Fayetteville Waste Reduction Coordinator
Rogers Environmental Educator

ACCEPTABLE	Comment
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3. Active Programs Utilized

List active programs utilized by the District, like Keep Arkansas Beautiful, Arkansas Recycling Coalition, and the Arkansas Department of Environmental Quality's Solid Waste Management Programs.

Most of the programs utilized by the District have been developed by the District.

ACCEPTABLE	Comment
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4. Active Individuals

See Attachment 11.

UNACCEPTABLE	Comment Attachment provides a list of local schools. Question asks for individuals providing education regarding solid waste issues.
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5. District Programs

List in-house, industrial and other solid waste educational programs, litter programs, illegal dumping prevention programs, and any others not mentioned here. Describe the nature of each effort and level of participation. Include the following:

Unknown

- a. Name of Organization/Sponsor
- b. County(ies) or City(ies)
- c. Addresses and Phone Numbers
- d. Target Participants
- e. Description of Activities

UNACCEPTABLE	Comment Response inadequate. District should utilize others, such as Keep Arkansas Beautiful.
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6. Communication Strategies

- a. How is the District communicating with their citizens?

Through advertising, publications, public presentations, workshops, newsletters, the media and the World Wide Web.

ACCEPTABLE	Comment
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- b. How does the District identify their customers?

Our customers are the people purchasing services from the District.

UNACCEPTABLE	Comment Response does not answer question.
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7. Public Meetings/Communication

- a. Are there regularly scheduled forums where the public can voice environmental concerns?

At District Board Meetings.

ACCEPTABLE	Comment
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- b. Are Board meetings regularly scheduled?

Yes, quarterly.

ACCEPTABLE	Comment
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- c. Are the meetings publicized or promoted for the public's knowledge? How - radio, television, newspaper, other?

Yes, via the news media and direct contact.

ACCEPTABLE	Comment
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- d. Are there any opportunities for the public to receive training or current environmental information via a public forum or meeting?

Not on a regular basis.

ACCEPTABLE	Comment
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- e. Are there any public announcements, training, or education involving litter control awareness and illegal dump elimination?

We utilize PSAs, press releases, purchased advertising and printed publications.

ACCEPTABLE	Comment
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8. Internet Access

- a. Does the Regional Solid Waste Management Board have a web page?

Yes.

ACCEPTABLE	Comment
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- b. Is the web page updated regularly?

Monthly, at a minimum.

ACCEPTABLE	Comment
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- c. What solid waste projects are posted to the web page?

All permanent recycling, composting, collection and disposal facilities and services are listed, as are intermittent programs such as community cleanups.

ACCEPTABLE	Comment
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- d. Is there a contact person posted on the web page?

Yes.

ACCEPTABLE	Comment
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9. Publications

a. What newsletters are available to the public?

The Trash Tribune, published quarterly.

ACCEPTABLE	Comment
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b. Are there any environmental publications for the public?

We have several publications available on a variety of topics.

ACCEPTABLE	Comment
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10. Progress/Setbacks

Describe progress and setbacks in education and public awareness efforts within the District.

This District has made great strides in public education efforts. Our biggest challenge, but also one of our benefits, is the routine turnover in the educator positions. A lack of institutional memory is a drawback but the routine infusion of new blood brings a wealth of new ideas each time.

ACCEPTABLE	Comment
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11. Educational Needs

Provide an evaluation of education needs regarding solid waste issues within the District

We could utilize another three-five educators within the District, however funding limitations currently prevent this from occurring.

ACCEPTABLE	Comment
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G. Other Services

1. Transportation

a. What role does the District currently play in solid waste transportation issues and needs?

UNACCEPTABLE	Comment Response is needed.
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b. Examine and discuss the trends, progress and setbacks regarding the transportation of solid waste over the last five years. Provide an explanation.

UNACCEPTABLE	Comment Response is needed.
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c. Project transportation needs and issues for the next year. Support your projections.

UNACCEPTABLE	Comment Response is needed.
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d. Project transportation needs and issues for the next five years. Support your projections.

UNACCEPTABLE	Comment Response is needed.
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e. Provide an evaluation of transportation needs within the District.

UNACCEPTABLE	Comment Response is needed.
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2. Miscellaneous

a. Describe the role the District plays in the development and implementation of other services.

UNACCEPTABLE	Comment Response is needed.
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b. Identify any other services not previously named provided by others within the District.

UNACCEPTABLE	Comment Response is needed.
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c. Describe progress and setbacks in these other service efforts within the District.

UNACCEPTABLE	Comment Response is needed.
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d. Provide an evaluation of miscellaneous needs within the District.

UNACCEPTABLE	Comment Response is needed.
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MINIMUM REQUIREMENTS FOR REGIONAL SOLID WASTE MANAGEMENT PLANS For the Regional Solid Waste Management Districts

PART TWO – CHAPTER TWO ACTION PLAN

A.C.A. §8-6-710. Solid waste management responsibility. (a)(1) Each regional solid waste management board shall be the governmental entity primarily responsible for providing a solid waste management system for the district.

Section 2.201 Mission Statement

Provide a mission statement for the Regional Solid Waste Management Board

The mission of the Tri-County Solid Waste District is to provide environmentally sound and economically feasible solid waste management to Northwest Arkansas using an integrated approach of waste reduction, reuse, recycling, composting, disposal and education.

ACCEPTABLE	Comment
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Section 2.202 Executive Summary

A. Strategies

1. Describe the role the District plays in the development and implementation of effective solid waste management programs as they relate to the six main goal areas of the **Statewide Solid Waste Management Plan**.

The District works to coordinate the work of local governments in implementing effective solid waste management programs. The District directly provides services for special wastes such as HHW, electronics, tires and bulky items. The District also provides weekend recycling drives in 3 locations and is in the process of building a transfer station and MRF in Western Washington County.

ACCEPTABLE	Comment
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2. What projects or efforts does the District expect to undertake or accomplish in order to attain these goals?

The District expects to continue the efforts it currently undertakes. The WWC facility should be completed in early 2005. Enforcement and educational activities will continue to receive support and are expected to grow. The District intends to study the feasibility of a regional MRF and C&D recycling during the next three years.

ACCEPTABLE	Comment
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B. Outlook

1. Describe the role the District hopes to play in the future development and implementation of effective solid waste management programs.

The District does not expect its role to change in the foreseeable future.

ACCEPTABLE	Comment A more descriptive response is requested on future updates.
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2. Identify areas where solid waste management efforts could be directed for the next decade as they pertain to the six main goal areas of the as they relate to the six main goal areas identified in the **Statewide Solid Waste Management Plan**.

Improving Recycling Infrastructure
C&D Recycling and Disposal
Organics Management
Improvements in Collection Programs

ACCEPTABLE	Comment
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Section 2.203 Goals

A. District's High Level Goals

Keeping in mind the Department of Environmental Quality's Land Objectives and the Solid Waste Management Division's High-Level Goals (named under **Section 1.203 in Part One** of the **Statewide Solid Waste Management Plan**), identify and explain at least three District-wide high-level goals for the next decade.

1. Land disposal of Class 1 wastes will cease within the District's boundaries.

Because of the fragile nature of the environment in Northwest Arkansas, the District has determined that the continued land disposal of Class 1 solid waste is inappropriate within the District's boundaries. Waste generated within the District will be handled by a series of public and private transfer stations, capable of delivering the waste to disposal facilities outside of the District boundaries.

ACCEPTABLE	Comment
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2. Household collection of waste and recyclables will be provided to every resident.

Collection is the cornerstone of proper waste management. Waste that is not collected cannot be properly managed. Open burning and illegal dumping will no longer be tolerated. Self disposal of waste is inappropriate for reasons given above. Therefore, the District will ensure that all residents have household collection of waste and recyclables available to them.

ACCEPTABLE	Comment
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3. Increased capacity for composting organic wastes and recycling of construction & demolition wastes will be encouraged.

Organic wastes and C&D materials make up a significant portion of the solid waste stream. Organic wastes are readily composted into a usable material and a significant percentage of C&D wastes can be recycled. The District will encourage the development of additional facilities to handle these materials.

ACCEPTABLE	Comment
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B. District’s Plan’s Goal Areas

Keeping in mind the six major Goal Areas (named under **Section 1.203 in Part One of the Statewide Solid Waste Management Plan**) should identify and explain the District’s specific goals for each of these goal areas for the next decade. The six goal areas identified are:

- Collection**
- Disposal**
- Recycling**
- Waste Reduction**
- Special Materials**
- Education and Public Awareness**

Regional Plans, at a minimum, should address each of the issues listed and should provide a goal-achievement discussion or strategy and a timeline for completion of each objective.

1. Collection

Based on available information, discuss collection needs and trends within the District that are anticipated during the next ten years.

At a minimum:

Examine and evaluate each county’s collection systems and provide solutions for improvement. Examine and evaluate a District-based funding mechanism for the collection of all solid waste generated within the District.

Most of the incorporated communities in the District provide trash service to their residents, either through city owned trucks or through contracts with private haulers. A few cities and all three counties rely on private haulers to provide trash collection services to their residents. The District recently amended its waste hauling regulations in an attempt to obtain greater control over the hauling services within the District and to help ensure that all residents had collection service available. The District has adopted a policy that all waste collection services should be provided through an approved Pay-As-You-Throw pricing structure.

Collection issues that we have dealt with recently include haulers who have charged residents for trash service then failed to provide that service and residents in outlying areas having trouble getting haulers to provide service to them. It is possible that a comprehensive program involving some form of franchising may be needed within the next ten years. At the present time, a District-based funding mechanism is politically unfeasible.

ACCEPTABLE	Comment
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2. Disposal

Based on available information, discuss disposal needs and trends within the District that are anticipated during the next ten years.

At a minimum:

Provide and improve integrated solid waste management options that include, but are not limited to, disposal facilities, transfer stations, composting facilities, recycling facilities, household hazardous waste collection facilities, special materials facilities, processing facilities and material recovery facilities.

The District has one existing Class 1 landfill within its boundaries. This landfill has less than 5 years of capacity. They are currently seeking to expand. The District is opposed to this expansion. Because of the fragile nature of our environment in Northwest Arkansas, and particularly the karst geology underlying most of this region, the District feels that landfilling Class 1 wastes within the District's boundaries is inappropriate. Instead, the District will rely on developing a series of transfer stations to transport Class 1 waste to disposal facilities outside the District's boundaries. At present, five public and private transfer stations serve the District. A sixth is permitted but not built and a seventh is under development. These facilities will provide sufficient capacity to transfer the District's waste for the next ten years. Indeed recently, the Tontitown Landfill was shut down for seven months and trash was transferred using only two or three of the existing transfer stations.

The District has four permitted composting facilities within its boundaries: two Class O and two Class Y. The District should investigate the feasibility of developing or promoting the development of additional Class O facilities to handle organic waste in the waste stream. This is a growing trend nationwide, as food waste is easily composted into a usable material and can be kept out of landfills.

The District has only two facilities capable of handling commingled recyclables. There are also several drop-off sites capable of handling source-separated materials. The District should investigate the feasibility of developing a regional recycling facility to provide the capacity to handle commingled materials. Also, by combining the marketing of the District's recyclable materials, better pricing and more secure markets may be obtained.

The District has five HHW and electronics recycling drop-off sites at present. A sixth will be opened when the new transfer station is operational. These sites should provide adequate capacity to handle our needs for the next ten years.

ACCEPTABLE	Comment
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3. Recycling

How will the District assure that Recycling follows the state legislated goal?

At a minimum:

Establish a realistic and achievable recycling goal for the District.

The District currently has one of the most comprehensive recycling programs in the State. Curbside collection is available in several communities and a number of drop-off sites are available to others. 90% of the residents have drop-off service available within 10 miles of their home. In spite of this, diversion rates are lower than they should be. This is particularly

true in the rural areas of the District. Driving this is a lack of processing capacity capable of handling commingled materials. Having adequate capacity to handle commingled materials allows rural haulers to offer recyclables collections to their customers and also makes multi-family collection feasible. The District will actively investigate the feasibility of developing commingled recycling capacity. The District will strive to achieve a residential recycling rate of 40% by 2014, not including yard waste.

ACCEPTABLE	Comment
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4. Waste Reduction

What will be the District's direct efforts be with business, industry and households that will reduce the amount of waste entering the waste stream?

At a minimum:

Establish on-going public outreach programs that address waste reduction.

The District promotes reduction and reuse through a Reuse Directory published by the District, radio PSAs, advertising and its web site. In addition, the District offers free waste reduction audits to schools, governments and businesses that request it. The District will continue to promote waste reduction and reuse as the primary tools in integrated waste management.

ACCEPTABLE	Comment
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5. Special Materials

What role will the District take in proper management in each of the follow special materials?

- a. **Illegal Disposal**
 - i. **Illegal Dumping**
 - ii. **Litter**
 - iii. **Open Burning**
- b. **Waste Tires**
- c. **Batteries**
- d. **Household Chemical Waste**
- e. **Waste Electronics**
- f. **Construction and Demolition Waste**
- g. **Other Solid Wastes**

At a minimum:

Identify problems related to each special material listed and explain how they will be addressed.

The District currently has one full-time enforcement officer who, among other things, investigates complaints of illegal dumping, littering and open burning. During the next ten years, it is likely that this staff will increase. In addition, the District is involved in on-going public education on these issues through brochures, radio PSAs and the web site.

The District has a comprehensive waste tire collection program. We operate nine collection centers in the three counties and contract with a private company to collect, sort and transport the tires to processing facilities. At present, our tires are taken to facilities in

Oklahoma where they are burned for fuel in a cement kiln or ground into crumb rubber. Some tires are taken to Davis Rubber in Little Rock where they are chipped and/or ground.

Batteries and household chemical waste are handled through the District's HHW centers, where residents can bring these materials for disposal at no charge. Electronics are also taken for recycling at these facilities.

Construction and demolition waste makes up a significant portion of the District's waste stream. At present, this material is landfilled. The District should promote the development of C&D recycling facilities sufficient to handle this growing stream of waste.

ACCEPTABLE	Comment
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6. Education and Public Awareness

How will the District approach education and public awareness?

At a minimum:

Identify education and public awareness programs that incorporate integrated solid waste management systems.

The District has a full-time educator who works to develop educational and outreach materials to increase the public's awareness of solid waste issues. In addition, we help support local educators through matching grants. The District tackles education and public awareness in both school settings and through marketing. We provide printed materials to local governments for distribution to their citizens. We have recorded a series of PSAs that have been distributed to area radio stations. We run printed advertising weekly concerning proper solid waste management and services available from the District. We will continue to promote

ACCEPTABLE	Comment
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7. Other Goals

How will the District approach other solid waste related goals?

At a minimum:

Identify other goals that incorporated into integrated solid waste management systems. Include any other goals that the Regional Solid Waste Management Board may have.

UNACCEPTABLE	Comment Response needed.
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Section 2.204 Goal Areas - Objectives

A.C.A. §8-6-710. Solid waste management responsibility. a)(1) Each regional solid waste management board shall be the governmental entity primarily responsible for providing a solid waste management system for the district.

Keeping in mind the information collected on the six major Goal Areas under Chapter Two – Activities Analysis, and the District’s specific goals for each named in the above section, provide information that could help the District attain its goals during the next ten years:

- List probable problems that the District might face
- List possible solutions that the District might follow

A. Collection

Problems

Potential problems in collections include a lack of knowledge of haulers, continued illegal disposal, poor roads and a reluctance to participate due to high costs.

Solutions

Solutions include continued educational and outreach efforts, increased enforcement of illegal disposal, roads will continue to improve as more and more are paved. If lack of participation does become a problem, then the District may look at more comprehensive forms of collection services.

ACCEPTABLE	Comment
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B. Disposal

Problems

The biggest problem facing the District regarding disposal is the lack of suitable geology for landfilling. A suitable network of transfer stations is currently in place with the building of the WWC facility.

Solutions

Land disposal of Class 1 waste should cease within the District.

ACCEPTABLE	Comment
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C. Recycling

Problems

The biggest problem facing the District regarding recycling is the lack of capacity to handle co-mingled recyclable materials. High collection costs will drive the need for this capacity in the near future.

Solutions

The District should investigate the feasibility of developing a regional MRF capable of handling co-mingled recyclables. This will allow entities within the District to lower their collection costs for recyclables.

ACCEPTABLE	Comment
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D. Waste Reduction

Problems

The biggest problem facing the District regarding waste reduction is the lack of manpower to conduct waste audits and set up waste reduction/recycling programs within area businesses.

Solutions

The District is working on implementing a web-based waste audit and an information campaign directed at area businesses.

ACCEPTABLE	Comment
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E. Special Materials

Identify problems and solutions for each of the following special materials?

- a. **Illegal Disposal**
 - i. **Illegal Dumping**

Problems

Illegal dumping will remain an issue for the foreseeable future, due to the rural nature of the majority of the District and long-standing attitudes among the public.

Solutions

The District intends to step up enforcement in this area and continue with our educational campaigns. These efforts are needed to inform the public of waste hauling alternatives and the dangers and costs imposed by illegal dumping.

ACCEPTABLE	Comment
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ii. Litter

Problems

The District treats illegal dumping and littering the same. See answers above.

Solutions

UNACCEPTABLE	Comment Individual responses needed in updates.
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iii. Open Burning

Problems

Open Burning will remain a problem because of the rural nature of the District, ignorance and tradition.

Solutions

The District has developed educational materials on the dangers of open burning and intends to step up enforcement and educational efforts in this regard.

ACCEPTABLE	Comment
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b. Waste Tires

Problems

The District is not having, nor anticipates any problems with regards to waste tires. All known large waste tire dumps have been addressed. Smaller dumps are addressed as they become known.

Solutions

No solutions are needed as no problems are evident.

ACCEPTABLE	Comment The District continues to do an excellent job of implementing the program.
-------------------	--

c. Batteries

Problems

The District currently has five HHW centers open year round where residents can bring materials for disposal at no charge. Both lead-acid and household batteries are collected at these centers. No problems exist nor are expected.

Solutions

No solutions are needed as no problems are evident.

ACCEPTABLE	Comment
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d. Household Chemical Waste

Problems

See Responses to c. Batteries above.

Solutions

UNACCEPTABLE	Comment Individual responses needed in updates.
--------------	--

e. Waste Electronics

Problems

The District has been taking waste electronics from residents for two years now. We currently have five centers open year round where residents can bring electronics for recycling at a minimal charge. No problems are foreseen here.

Solutions

No solutions are needed as no problems are evident.

ACCEPTABLE	Comment
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f. Construction and Demolition Waste

Problems

Because of the tremendous growth in Northwest Arkansas, a great deal of construction & demolition debris is generated. This volume of material, as well as the costs of disposal, will continue to put pressure on our waste disposal system.

Solutions

The District has recently received an application for a Certificate of Need for a new Class 4, C&D landfill. In addition, the District intends to work with private entities to study the feasibility of C&D recycling within the District.

ACCEPTABLE	Comment
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g. Other Solid Wastes

Problems

Solutions

UNACCEPTABLE	Comment Individual responses needed in updates.
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F. Education and Public Awareness

Problems

Education is a key component of proper solid waste management. The District is proud to have had a full time educator for over ten years. Changes in the way we handle waste cannot take place until people change their attitudes about garbage. Education, on a continuing basis, is the key to make this happen.

Solutions

The District intends to continue its excellent educational programs into the future.

ACCEPTABLE	Comment
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G. Other

Problems

None.

Solutions

UNACCEPTABLE	Comment Individual responses needed in updates.
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Section 2.205 Administrative

A. Plan Implementation

Provide an administrative plan defining the implementation strategy, guidelines, policies and procedures.

See Part II of this Document.

ACCEPTABLE	Comment
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B. Implementation Timetable

Provide a timetable outlining goal implementation schedule

Collection

Education – on-going
Enforcement – on-going

ACCEPTABLE	Comment
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Disposal

No further landfill development – in-place
Transfer Station System – complete by June 2005

ACCEPTABLE	Comment
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Recycling

Study feasibility of regional MRF – 2006

ACCEPTABLE	Comment
------------	---------

Waste Reduction

Web-based Waste Audit System – June 2005

ACCEPTABLE	Comment
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Special Materials

Enforcement – on-going
Education – on-going
Study C&D recycling feasibility – 2007

ACCEPTABLE	Comment
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Education & Public Awareness

Education campaign – on-going

ACCEPTABLE	Comment
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C. Funding and Budget

1. Append the District's financial audit from independent auditor for the previous fiscal year.

See Attachment 12.

ACCEPTABLE	Comment
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2. Provide a budget outlining solid waste revenues and expenditures for the upcoming fiscal year for the District. The budget should provide a breakdown for different solid waste management programs and administrative accounts.

See Attachment 13.

ACCEPTABLE	Comment
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3. Does the current staff meet the needs of the District to provide a quality system of solid waste management oversight for its citizens? If not, in what areas is there a staffing need and how does the District plan to address this shortage?

Yes.

ACCEPTABLE	Comment
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- List all revenue sources and/or fees, such as user fees, waste disposal fees, grants, loans, and sales of recovered materials. Provide an estimation of total receipts from each revenue source from the previous year for the District. Estimate the percentage of annual revenue from each source.

See Attachment 4.

ACCEPTABLE	Comment
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- List the solid waste services that are supported by these revenues.

Educational programs, technical assistance to local governments, business, industry and schools, household hazardous waste and electronics recovery, bulky waste collections, enforcement and waste hauler referrals.

ACCEPTABLE	Comment
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- Provide a report for the most recent fiscal year that identifies solid waste revenues and expenditures for the District. (This report should be an expansion of and be complementary to the annual audit report provided by outside independent auditors.)

See Attachment 4.

ACCEPTABLE	Comment
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Section 2.206 Legislative Studies

Provide a list of legislative studies the District would like to see addressed.

None.

ACCEPTABLE	Comment
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Section 2.207 Appendices

Append to the Plan, where available, the following information. (Append any changes or additions to Annual Reports.)

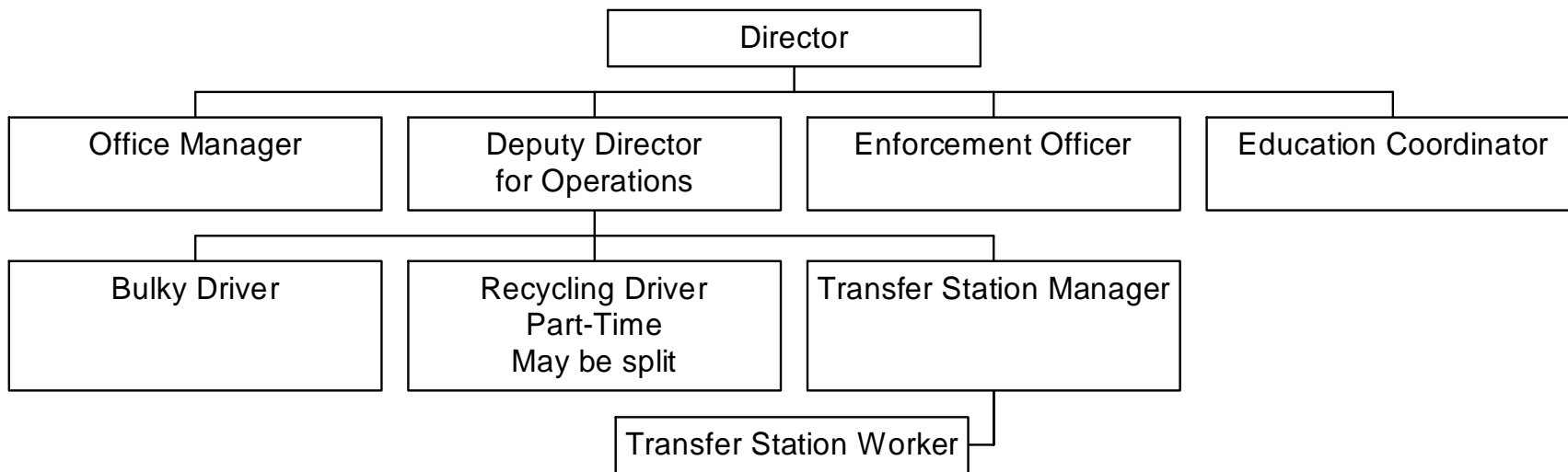
- Financial Audit for Previous Fiscal Year
- Administrative Procedures, Regulations, Ordinances or Policies, By-Laws
- Charts (including Organizational) and Maps

Recycling Program Reports
Other Pertinent Information

ACCEPTABLE	Comment
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ATTACHMENTS

Attachment 1 Organizational Chart



Attachment 2 District Rules

**RULES AND REGULATIONS OF THE
TRI-COUNTY SOLID WASTE DISTRICT**

Cite as Tri-County Reg. § xx.xx

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CHAPTER A: Practices and Procedures	
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Subchapter 2: Rulemaking.
Subchapter 3: Administrative Orders and Hearings.
Subchapter 4: Reserved.
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CHAPTER A: PRACTICES AND PROCEDURES

Subchapter 1 General.

Subchapter 2 Rulemaking.

Subchapter 3 Administrative Orders and Hearings.

Subchapter 4 Reserved.

Subchapter 5 Reserved.

Subchapter 1 General.

§ 1.01 Authority

§ 1.02 Definitions

§ 1.01 Authority

Ark. Code Ann. § 8-6-704(6) authorizes regional solid waste management boards to adopt such rules or regulations pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 *et seq.*, as are reasonably necessary to assure public notice and participation in any findings or rulings of the board and to administer the duties of the board.

§ 1.02 Definitions

For the purposes of these regulations, the following definitions shall apply:

(a) "Administrative Procedure Act" means the Arkansas Administrative Procedure Act codified at Ark. Code Ann. §§ 25-15-201 to 214, as amended from time to time.

(b) "ADEQ" or "Department" means the Arkansas Department of Environmental Quality.

(c) "Administrative Order" means the written finding of the District which proposes to assess a penalty, suspend, revoke or deny a license or permit, or to take other action against a person which grants that person a right to request a hearing pursuant to these Rules, other than the denial of a Certificate of Need.

(d) "Board" means the Board of Directors of the Tri-County Solid Waste District.

(e) "Class S Composting Facility" means a facility defined as requiring a Class S Composting Permit under ADEQ Regulation 22.

(f) "Commission" means the Arkansas Pollution Control & Ecology Commission.

(g) "Directors" means the members of the Board of Directors of the Tri-County Solid Waste District.

(h) "District" means the Tri-County Solid Waste District, which includes the counties of: Benton; Madison; and, Washington, and the municipalities within these counties.

(i) "Director" means the Director of the Tri-County Solid Waste District.

(j) "Person" means any individual, partnership, corporation, association, or public or private organization of any character.

(k) "Rule" means any District regulation or statement of general applicability and future effect that implements, interprets, or prescribes law or mandatory policy, or describes the organization, procedure or practice of the District.

(l) "Rulemaking Action" shall include any action by the District to adopt, amend or repeal and District Rule.

(m) "Solid Waste" means any garbage or refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. §1342, or source, special nuclear, or by-products material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923).

(n) "Solid Waste Disposal Facility" means any Class I or II sanitary landfill as defined by the Arkansas Department of Environmental Quality.

(o) "Solid Waste Facility" means any facility which holds or should hold a facility permit issued by the Solid Waste Division of ADEQ.

(p) "Solid Waste Material Recovery Facility" means a facility defined as requiring a Solid Waste Material Recovery Facility permit by ADEQ Regulation 22.

(q) "Transfer Station" means a facility defined as requiring a Transfer Station permit by ADEQ Regulation 22.

Subchapter 2 Rulemaking.

- § 2.01 Proposed Action**
- § 2.02 Notice of Proposed Action**
- § 2.03 Public Comment**
- § 2.04 Public Hearing**
- § 2.05 Final Action**
- § 2.06 Emergency Proceedings**
- § 2.07 Filing**
- § 2.08 Effective Date**
- § 2.09 Certification of Regulations**
- § 2.10 Official Records**
- § 2.11 Substantial Compliance**
- § 2.12 Preemption by State or Federal Law**
- § 2.13 Severability**

§ 2.01 Proposed Action

At any Board meeting, the Board may adopt proposed: new rules or regulations; modifications to existing rules or regulations; or, repeal of any existing rules or regulations.

§ 2.02 Notice of Proposed Action

(a) Notice of the proposed new rule or regulation, modification or repeal of an existing rule or regulation, shall be given to the public via publication in the following publications: The Morning News of Northwest Arkansas; The Madison County Record; and, The Arkansas Democrat-Gazette (Northwest Edition).

(b) Notice will normally be published on Wednesdays. The notice shall state the substance of the proposed new rule, modification or rescission of an existing rule and provide information on obtaining a copy of the proposal from the District. The notice shall inform the public of the time, place and manner in which they may present their comments.

(c) Notice shall also be mailed, via first class mail, to all persons who request advance notice, in writing, of any rulemaking by the District.

(d) Notice shall also be mailed, via first class mail, to ADEQ.

§ 2.03 Public Comment

The notice in § 2.02 shall solicit written comments from the public for a period of not less than thirty (30) days. The notice shall also provide the address where all comments should be sent.

§ 2.04 Public Hearing

(a) The District may, at its sole discretion, hold a public hearing to take oral comments from the public concerning any proposed action.

(b) Should a public hearing be held, notice of the hearing shall be made in the manner provided in § 2.02 no less than 10 days in advance of the hearing.

(c) Where regulations are required by law to be made on the record after opportunity for a hearing, the provisions of that law shall apply in place of these requirements.

§ 2.05 Final Action

(a) At any Board meeting following the close of the public comment period or any public hearing, the Board may act on the proposal by: adopting it as originally written; adopting a modified version; or, denying the proposal.

(b) The Board reserves the right to re-issue any proposal for public comment following significant modifications.

§ 2.06 Emergency Proceedings

Should the District find that imminent peril to the public health, safety or welfare requires adoption of a regulation upon fewer than 30 days notice, and states in writing its reasons for that finding, it may proceed without prior notice or hearing, or upon any abbreviated notice and hearing that it may choose, to adopt an emergency regulation. Any emergency regulation so adopted may be effective for no longer than 120 days.

§ 2.07 Filing

The District shall file with the Secretary of State, the Arkansas State Library and the Bureau of Legislative Research, a certified copy of each regulation adopted by it, and a statement of financial impact for the regulation.

§ 2.08 Effective Date

Each regulation adopted by the District shall be effective 10 days after filing unless a later date is specified by law or in the regulation itself. However, an emergency regulation may become effective immediately upon filing, or at a stated time less than 10 days thereafter, if the District finds that this effective date is necessary because of imminent peril to the public health, safety or welfare. The District's finding and a brief statement of the reasons therefore shall be filed with the regulation. The District shall take appropriate measures to make emergency regulations known to the persons who may be affected by them.

§ 2.09 Certification of Regulations

A copy of any regulation adopted by the Board may be certified by signature of the Chairman and Secretary/Treasurer of the Board, and by affixing the official seal of the District thereon.

§ 2.10 Official Records

The District shall maintain a certified copy of every regulation or rule adopted by the District. This copy shall be kept at the principal office of the District. A copy of each notice of rulemaking shall also be kept on file at the District.

§ 2.11 Substantial Compliance

Every Rulemaking Action by the District after the effective date of this Subchapter shall be effective if the Rulemaking Action substantially complies with this Subchapter.

§ 2.12 Preemption by State or Federal Law

If any law of the State of Arkansas or the United States shall require a different method for Rulemaking Action in a particular situation, the provisions of this Subchapter shall be preempted to the extent necessary to comply with State or Federal law. Whenever possible, the provisions of this Subchapter shall be interpreted to be consistent with requirements of State and Federal law.

§ 2.13 Severability

If any provision of any District Rule or the application thereof to any Person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of District Rules, which can be given effect without the invalid provision or application, and to this end the provisions of all District Rules shall be considered severable.

Subchapter 3 Administrative Orders and Hearings.

- §3.01 Authority**
- §3.02 Administrative Order**
- §3.03 Right to Hearing**
- §3.04 First Offenses**
- §3.05 Final Agency Action**
- §3.06 Appeals to Circuit Court**
- §3.07**
- §3.08**
- §3.09**

§3.10
§3.11
§3.12

§3.01 Authority

The Director shall keep a log of all complaints received and violations determined by the District. The Director is granted the discretion and authority to assess monetary penalties for violations of District Rules as well as to revoke, suspend or deny a license or permit to any person for cause. No formal action regarding a complaint or violation, outlined below, may be taken until efforts have been made to resolve the violation or complaint informally and until the expiration of a twenty four (24) hour period granted by the Director to correct or remediate the complaint or violation.

§3.02 Administrative Order

(a) When the Director determines that a person is subject to penalties, revocation or suspension of a license, or other action, pursuant to the District's Rules, the Director shall issue a written Administrative Order setting forth the basis for such proposed penalty, revocation or suspension, or action.

(b) The Administrative Order must be signed by the Director or his authorized designee, and delivered in person or by Certified Mail, return receipt requested, to the address of record at the District of the person against whom the Administrative Order is issued;

(c) The Director has the discretion to attach a Consent Agreement to an Administrative Order and to enter into Consent Agreements to settle any Administrative Order.

§3.03 Right to Hearing

(a) Upon receipt of an Administrative Order, the person against whom the Administrative Order is issued may object and request a hearing before the District Board.

- (1) The request for hearing, which must be in writing, should set forth the reasons why the person disagrees with the Administrative Order.
- (2) The request for hearing may be delivered to the District in person or by Certified Mail, return receipt requested, and must be received by the District office no later than close of business thirty (30) days after the date of the Administrative Order. If the thirtieth day falls on a Saturday, Sunday or District Holiday, the request is due by close of business the following business day.
- (3) Persons who timely file a request for hearing shall be entitled to be heard at the first regularly scheduled Board meeting following receipt of their request for hearing unless the request for hearing is received within fourteen (14) days prior to a scheduled Board meeting. In such an event, the appeal will be heard at the following regularly scheduled Board meeting.

- (b) The hearing shall be conducted as follows:
- (1) Both sides, which may appear in person or by counsel, shall have the opportunity to present documents and oral testimony in support of its position to be considered by the Board.
 - (2) The District shall present their case first, followed by the person requesting the hearing. Cross-examination shall be allowed as well as questioning by the Board.
 - (3) Conduct of the hearing shall be informal. The Chair shall be entitled to use his or her discretion to allow, disallow or strike any evidence or testimony that is deemed to be irrelevant, unreliable or duplicative.
 - (4) A court reporter, paid for by the District, will be present to develop a transcript of the hearing. This transcript, along with all evidence presented to and accepted by the Chair shall make up the Administrative Record in the matter.
 - (5) Upon receipt and consideration of evidence and testimony at the hearing, the Board members present shall vote on the action proposed by the Administrative Order. A majority vote of the Board members present shall be final. The Chair is allowed a vote.
 - (6) At the close of the hearing, the Board shall enter a written order, at which time the decision of the Board shall be effective. Each party shall be responsible for drafting a proposed written order to be submitted to the Board. Alternatively, the Board may draft an order at the close of the hearing.
 - (7) In all other respects, the hearing shall be conducted in accordance with the Administrative Procedures Act.

(c) In the event no request for hearing is received by the District within the time prescribed by this Rule, the Administrative Order shall become final on the day following the date on which a request for hearing is due.

§3.04 First Offense

District Board may waive any penalty for a first offense based on the person's prior record.

§3.05 Final Agency Action

The written order adopted by the Board shall be the final agency action for the purpose of appeal to Circuit Court.

§3.06 Appeals to Circuit Court

The appellant may appeal the final agency action of the Board to the Circuit Courts of Benton, Madison or Washington Counties in Arkansas.

Subchapter 4 Reserved.

Subchapter 5 Reserved.

CHAPTER B: CERTIFICATES OF NEED

Subchapter 6 Authority and Criteria.

Subchapter 7 Procedures.

Subchapter 6 Authority and Criteria.

§ 6.01 Authority

§ 6.02 Definitions

§ 6.03 Applicability

§ 6.04 Criteria for Review

§ 6.05 Continuing Effect

§ 6.01 Authority

Ark. Code Ann. § 8-6-704(6) authorizes regional solid waste management boards to adopt such rules or regulations pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 *et seq.*, as are reasonably necessary to assure public notice and participation in any findings or rulings of the board and to administer the duties of the board. Further, Ark. Code Ann. § 8-6-706(d)(7) authorizes Districts to adopt procedures for the issuance of Certificates of Need.

§ 6.02 Definitions

(a) "Certificate of Need" means a certificate issued by the Board to any person proposing to obtain a permit for a solid waste facility.

(b) "Certificate of Need Review" means review of the application for a Certificate of Need.

(c) "Interested persons" means the applicant and any persons who submit public comments during the review period either in writing or verbally at the public hearing.

(d) "Landfill" means a permitted landfill under the Arkansas Solid Waste Management Act, Arkansas Code § 8-6-201 *et seq.* As used herein, the term does not include, however, permitted landfills where a private industry bears the expense of operating and maintaining the landfill solely for the disposal of wastes generated by the industry or wastes of a similar kind or character.

(e) "Solid Waste" means any garbage, or refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. § 1342, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923).

(f) "Solid Waste Facility" means a Landfill or Transfer Station as defined in this section.

(g) "Transfer Station" means any facility used to manage the removal, compaction and transfer of solid waste from collection vehicles and containers, and from other private and commercial vehicles to greater capacity transport vehicles.

§ 6.03 Applicability

The regulations in Chapter B shall apply to every solid waste facility proposed to be located either wholly or partially within the jurisdiction of the District or the expansion of any existing landfill within

the jurisdiction of the District. These regulations shall apply to facilities that do not have a pre-application pending with ADEQ for a new permit or modification of an existing permit as of the effective date of these regulations. A certificate of need is not required for landfills where a private industry bears the expense of operating and maintaining the landfill solely for the disposal of wastes generated by the industry or wastes of a similar kind or character.

§ 6.04 Criteria for Review

When reviewing an application for a Certificate of Need, the District will consider the following criteria:

(a) whether the proposed facility is consistent with the regional planning strategy adopted by the board in the regional needs assessment or the regional solid waste management plan;

(b) whether the proposed facility conflicts with existing comprehensive land use plans of any local governmental entities;

(c) whether the proposed facility disturbs an archeological site as recognized by the Arkansas Archaeological Survey, or a rare and endangered species habitat as recognized by either the Arkansas State Game and Fish Commission or the United States Fish and Wildlife Service;

(d) whether the proposed facility will adversely affect the public use of any local, state or federal facility, including, but not limited to, parks and wildlife management areas;

(e) whether the proposed facility conflicts with the requirements of state or federal laws and regulations on the location of disposal facilities;

(f) if the proposed facility is located within the 100-year floodplain, whether it restricts the flow of the 100-year flood, reduces the temporary water storage capacity of the floodplain, or could result in washout of solid waste so as to pose a hazard to human health or the environment;

(g) whether the proposed facility is appropriately located given the District's needs and taking into consideration its road system;

(h) for landfills, whether the proposed facility provides landfill disposal capacity needed within the District. In no event, shall the District's excess projected capacity for any class of landfill exceed thirty (30) years, including the proposed facility;

(i) for transfer stations, whether another transfer station is located within a twelve-mile radius of the proposed facility and whether sufficient transfer station capacity exists within the proposed service area;

(j) the detailed history of the applicant's record and that of the stockholders and officers with respect to violations of environmental laws and regulations of the United States or any state or political subdivision of any state;

(k) the service area to be served by the proposed facility; and,

(l) whether the applicant followed the procedures for obtaining a Certificate of Need in Subchapter 7.

§ 6.05 Continuing Effect

(a) Upon receipt of a Certificate of Need, the applicant has sixty (60) days in which to file a pre-application for a solid waste landfill permit with ADEQ. If a pre-application is not filed within 60 days, the Certificate of Need shall expire.

(b) Upon receipt of a Certificate of Need, the applicant has six (6) months in which to file a permit application for a solid waste landfill permit with ADEQ. If a permit application is not filed within 6 months, the Certificate of Need shall expire.

(c) Certificates of Need are issued to specific persons. Under no conditions or circumstances shall a Certificate of Need be transferred, assigned, or otherwise provided to any individual or organization other than as originally specified on the Certificate of Need.

Subchapter 7 Procedures for Obtaining a Certificate of Need.

§ 7.01 Notice of Intent

§ 7.02 Application

§ 7.03 Completeness Determination

§ 7.04 Review Period

§ 7.05 Public Hearing

§ 7.06 Determination

§ 7.07 Appeal of Decision

§ 7.01 Notice of Intent

At least fifteen (15) days prior to submitting an application for a Certificate of Need, the applicant must notify the District, in writing, of its intent to submit such an application. The Notice of Intent shall include the following information:

- (a) the name of the applicant;
- (b) the applicant's address and telephone number;
- (c) whether the applicant is seeking a new or modified solid waste facility permit and the classification of the permit sought;
- (d) the site of the proposed facility;
- (e) a description of the geo-political area to be served by the proposed facility, including population estimates by jurisdiction;
- (f) for landfills, confirmation from the ADEQ that the applicant has requested a statement concerning the current and proposed solid waste landfill disposal capacity respective to the area and landfill class being proposed.

§ 7.02 Application

Persons requesting a Certificate of Need from the District must submit an application to the District. All applications for Certificates of Need shall include, at a minimum, the following information:

- (a) the applicant's name, address and telephone number;
- (b) the name of the person having legal ownership of the land where the proposed facility will be located and documentation of a right to develop such property as a solid waste facility from the legal owner;
- (c) the location of the proposed facility as shown on the applicable 7.5^o USGS topographic map(s);
- (d) the size of the proposed facility and capacity proposed;

(e) a description of the geo-political jurisdictions to be served, including population estimates by jurisdiction;

(f) documentation that the proposed solid waste facility or modification complies with all of the criteria for evaluation listed in Section 6.04.

(g) for landfills, the current permitted capacity for the appropriate landfill class within the district and the estimated increase in permitted capacity for the proposed facility or modification;

(h) for transfer stations, a map showing the location of the proposed facility and all existing transfer stations with a twelve-mile radius around each; and,

(i) any other information deemed necessary to make a determination of need.

§ 7.03 Completeness Determination

Within fourteen (14) days of receipt of the initial application, the District will make a completeness determination of the application. Any additional information the District determines is necessary to make a decision on the need of the proposed facility will be requested within this time. If additional information is requested by the District, it will again make a completeness determination within fourteen (14) days of the receipt of the additional information.

§ 7.04 Review Period

Once the District has determined that an application for a Certificate of Need is complete, it will so notify the applicant and publish notice of the review period in papers as described in Section 2.02. The review period will begin on the date the completeness determination is made to the applicant or the date of publication of notice of the review period, whichever is later. The review period will run for thirty (30) days. During the review period, public comment will be taken.

§ 7.05 Public Hearing

During the review period, the District will conduct a public hearing within the county where the proposed facility or modification is to be located.

§ 7.06 Determination

(a) At the first scheduled Board meeting following the close of the review period, the Board will take up for consideration the application for a Certificate of Need. The Director shall present a recommendation to the Board. Those supporting the issuance of the Certificate of Need and those opposing the issuance of the Certificate of Need will be provided with a total of 10 minutes for each side to address the Director's recommendation.

(b) Unless the Board has affirmatively issued or denied a Certificate of Need within one-hundred and twenty (120) days of the beginning of the review period, the Certificate of Need will be deemed to have been denied.

(c) The Board shall issue written findings when making a determination. The findings shall state the basis for issuing or denying the Certificate of Need. The findings will be sent to the following:

(1) the applicant;

(2) ADEQ; and

(3) any interested persons who request such findings in writing from the District.

§ 7.07 Appeal of Decision

Any interested person to a Certificate of Need determination shall have the right to appeal the issuance or denial of a Certificate of Need to the Director of ADEQ in accordance with ADEQ regulations governing such appeals. Only interested persons shall have a right of appeal.

CHAPTER C: WASTE TIRE PROGRAM

Subchapter 8 Reserved

CHAPTER D: WASTE HAULER PROGRAM

Subchapter 9 Waste Hauler Licenses

§ 9.01 Definitions

§ 9.02 Hauler's License Required

§ 9.03 Standards

§ 9.04 Licensing Procedures

§ 9.05 Fees

§ 9.06 Penalties

§ 9.07 Revocation and Suspension

§ 9.01 Definitions

(a) "Solid Waste" means any garbage, or refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. §1342, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923). Recovered materials as defined by ADEQ Regulation 22.201 are not considered solid waste.

(b) "Solid Waste Hauler" - A Solid Waste Hauler is any person engaged in the collection and/or transportation for disposal or storage of solid wastes. Solid Waste Hauler does not include a person transporting their personal household wastes to a permitted facility. Solid Waste Hauler does not include a person hauling only waste tires. Solid Waste Hauler does not include a person transporting solid waste from an industrial facility to its own Class 3 landfill. There are two types of Solid Waste Haulers:

(1) Type I Haulers are those that haul all categories of nonhazardous solid wastes as identified in ADEQ Regulation 22.203;

(2) Type II Haulers are those that haul only process wastes and special materials as identified in ADEQ Regulation 22.203.

§ 9.02 Hauler's License Required

(a) Effective February 1, 1993, no person shall engage in the business of collection and/or transportation of solid wastes in the District without first securing a Solid Waste Hauler's License from the Board. This does not apply to private individuals who transport their personal household solid waste to a permitted facility.

(b) A Solid Waste Hauler's License shall only be issued to a person, partnership, corporation, association, the State of Arkansas, a political subdivision of the state, an improvement district, a sanitation authority, or another regional solid waste management district.

(c) A Solid Waste Hauler's License is required under the following circumstances:

(1) by any person whose primary source of income is derived from the collection and transportation of solid or process wastes;

(2) by any person who collects, for a fee, more than ten (10) cubic yards of solid or process wastes each week on a scheduled basis; or,

(3) by any person who provides solid waste collection or transportation services, for a fee, to six (6) or more households or businesses on a regular basis.

(d) The District may engage in the hauling of solid waste within the District without a license, but shall comply with all applicable standards required in Section 2(b).

(e) All Solid Waste Hauler's Licenses shall be issued for a period not to exceed one (1) year. Licenses shall run from July 1 through June 30 of each year. Applications for a license shall be mailed out by the District to each hauler and post marked no later than May 1st. If said applications are not mailed out by May 1st then the deadline to submit such shall be extended accordingly. Application packets shall be returned to the District no later than June 15th of each year except as stated above.

(f) A solid waste hauler's license issued by the District does not supersede any local government's issuance of an exclusive franchise for hauling within its boundaries.

§ 9.03 Standards

All collection and transportation systems shall meet the conditions outlined below. Failure to comply with these conditions may result in a revocation of the hauler license.

(a) All persons driving collection and/or transportation vehicles shall hold the appropriate driver's licenses as required by state law.

(b) Solid wastes shall be collected and transported so as to prevent public health hazards, environmental hazards, safety hazards, and nuisances and shall be kept in a sanitary condition.

(c) Collection and transportation equipment shall be designed and constructed so as to be leak-proof. The waste shall be suitably enclosed or covered so as to prevent roadside littering, attraction of vectors or creation of other nuisances, in accordance with ADEQ Regulation 22. This means that vehicles must have either: enclosed waste storage areas; or for vehicles with open waste storage areas, such as caged pickups, they must be tarped when traveling in excess of 35 miles per hour. Haulers should request customers to utilize animal resistant containers and bags of suitable strength to reduce tearing and spilling of litter.

(d) Collection and transportation of chemicals, medical wastes, poisons, explosives, radiological wastes and other hazardous materials shall be in accordance with the requirements of state and federal regulatory controls.

(e) All solid wastes collected shall be transported to a permitted facility in accordance with ADEQ Regulation 22.

(f) All vehicles hauling solid waste within the District shall display the registration sticker issued by the District near the driver's side door. In addition, beginning July 1, 2003, all licensed vehicles must display both the business name and phone number in letters no less than 2 inches high on both sides of the vehicle.

(g) Beginning January 1, 2004, all waste haulers that do not have a District-approved plan for implementing Pay-As-You-Throw pricing will be ineligible to haul wastes within the District.

(h) Hauling services shall be provided at a minimum of one time per week. Haulers may skip hauling on major holidays, provided they provide service to those customers affected during that week. Customers should be provided a minimum of two (2) weeks notice of any change in collection schedule. Inclement weather may excuse haulers from this provision.

(i) Haulers are responsible for cleaning up any spills and/or loose trash caused by the hauler.

(j) At the time of licensing, a hauler will be required to indicate in which zones it wishes to provide service. A hauler which indicates that it will provide service in a zone must provide service to any customer within that zone that requests it, unless that hauler can show good cause to the District why it will not provide service to a customer. The Director has the discretion and authority to make a finding of good cause, which may be such things as a history of the customer failing to pay bills or some other dispute between the customer and hauler. However, the location of the customer will not be considered good cause.

§ 9.04 Licensing Procedures

(a) Any person subject to § 9.03 shall register annually with the District on a form prescribed by the District:

(b) All persons engaged in the business of collection or transportation of solid wastes within the District must register such business with the District by June 15 of each year and provide the following information:

- (1) Name, address and telephone number of the business;
- (2) Name of principal owners and officers;
- (3) Number of residential and commercial accounts served as of June 1;
- (4) Names and driver's license numbers of employees providing hauling services;
and
- (5) Identify the areas served on county road maps.

(c) In addition, each vehicle used in the collection and/or transportation of solid wastes must be registered and the following information supplied:

A description of each vehicle to be registered, including

- (1) Make, model and year of vehicle
- (2) VIN
- (3) Current motor vehicle license
- (4) name of vehicle owner
- (5) vehicle capacity

(d) Any person applying for a license must establish financial responsibility to the District. Proof of liability insurance will be required and may be considered adequate financial responsibility.

(e) Licenses are non-transferable and non-returnable. If a licensed hauler replaces a registered vehicle with another vehicle during the year, the District shall be notified and the information in § 9.04(c) above shall be provided for both vehicles. A new registration sticker shall be provided for the new vehicle. The hauler shall remove the registration sticker from the disposed vehicle.

(f) Any person who begins business or any licensed person who adds additional collection vehicles during a calendar year shall have thirty (30) days to register with the District and obtain a license without a penalty.

§ 9.05 Fees

Fees shall be assessed as follows:

(a) A minimum fee of \$100.00 is required and will license up to two (2) vehicles.

(b) An additional fee of \$50.00 per vehicle per year, will be assessed for the third and all subsequent vehicles up to a maximum fee of \$1,000.00 annually.

(c) Fees for new licenses or additional units will be pro-rated based on the number of full months remaining in the calendar year.

(d) Any hauler's licensing application received by the District after the deadline imposed herein shall be assessed a penalty measured from fourteen (14) days after the due date as follows:

- (1) One (1) to sixty (60) days late – twenty-five percent (25%) of the license fee.
- (2) Sixty-one (61) to ninety (90) days late – fifty percent (50%) of the license fee.
- (3) Ninety-one (91) days and later – one hundred percent (100%) of the license fee.

§ 9.06 Penalties

(a) Failure to register under these regulations constitutes a misdemeanor under Ark. Code. Ann. § 8-6-722. Upon conviction the person shall be subject to imprisonment for not more than thirty (30) days or a fine of not more than one thousand dollars (\$1,000.00), or both imprisonment and fine. Additionally, failure to register may subject the hauler to administrative penalties of not more than five hundred dollars (\$500.00) and two (2) points for the first offense, and not more than one thousand dollars (\$1,000.00) and four (4) points for subsequent offenses. Each day or part of any day during which a violation is continued or repeated shall constitute a separate offense.

(b) Failure to comply with any other part of this subchapter constitutes a misdemeanor under Ark. Code. Ann. § 8-6-722. Upon conviction the person shall be subject to imprisonment for not more than thirty (30) days or a fine of not more than two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for a second offense and one thousand dollars (\$1,000.00)

for subsequent offenses, or both imprisonment and fine. Each day or part of any day during which a violation is continued or repeated shall constitute a separate offense.

(c) Failure to collect trash in a sanitary manner, failure to provide services without good cause, failure to provide service when requested without good cause, failure to submit adequate trust fund fees under Section 9.08, or failing to properly dispose of wastes collected may subject the hauler to administrative penalties of not more than two hundred and fifty dollars (\$250.00) and one (1) point for the first offense, and not more than five hundred dollars (\$500.00) and two (2) points for subsequent offenses.

(d) Failure to display the registration sticker, failure to notify the District of additional trucks, failure to display the haulers name and telephone number on the sides of vehicles, or other administrative violations may subject the hauler to administrative penalties of not more than one hundred dollars (\$100.00) and one (1) point for the first offense, and not more than two hundred and fifty dollars (\$250.00) and two (2) points for subsequent offenses.

(e) To be considered a subsequent offense, the repeat offense must occur within thirty-six (36) months of the earlier offense.

(f) When the Director determines that a person is subject to administrative penalties, pursuant to the District's Rules, the Director shall issue an Administrative Order in accordance with Subchapter 3 of the District's Rules.

§ 9.07 Revocation and Suspension

(a) The District may revoke or suspend a hauler's license under the following conditions.

(1) The District may suspend a hauler's license for six (6) months if they are assessed penalties totaling five (5) points within a twelve (12) month period.

(2) The District may suspend a hauler's license for twelve (12) months if they are assessed penalties totaling ten (10) points within a twelve (12) month period.

(3) The District may permanently revoke a hauler's license if they are assessed penalties totaling fifteen (15) points within a twelve (12) month period.

(4) The District may permanently revoke a hauler's license if they are suspended for more than twelve (12) months in any thirty-six (36) month period.

(b) When the Director determines that a person is subject to revocation or suspension of a license, pursuant to the District's Rules, the Director shall issue an Administrative Order in accordance with Subchapter 3 of the District's Rules.

§ 9.08 Waste Hauler Trust Fund

(a) There shall be established on the books of the District a fund to be known as the Waste Hauler Trust Fund. Monies deposited in this fund shall be kept in a separate depository account and shall cover the entire Tri-State area. Any hauler who chooses to post a cash bond may do so in lieu

of the deposits set out below.

(b) Licensed Waste Haulers shall deposit the sum of \$.125 per residential customer, less any customer serviced under municipal or POA contract, on a quarterly basis into the fund.

(c) Deposits shall be made no later than January 31, April 30, July 31 and October 31 based on the number of applicable customers on the first day of these months.

(d) Deposits shall be made until the Fund reaches \$10,000.00. After which, deposits shall cease until the Fund balance drops below \$5,000.00, at which time, deposits will resume until the fund once again reaches \$10,000.00.

(e) Money deposited into the Waste Hauler Trust Fund shall be used exclusively to provide reimbursement of unused prepaid fees to customers of a hauler which has abandoned an area of service. Customers in the abandoned area are entitled to reimbursement of any unused amounts pre-paid by the customer to said hauler, not to exceed the limits of the fund.

(f) In order to qualify for reimbursement from the Fund, the customer must demonstrate proof of payment.

(g) Any hauler who fails to provide service to a customer who then qualifies for reimbursement under these provisions, shall be permanently barred from further waste hauling within the District.

CHAPTER E: SOLID WASTE FACILITIES

- Subchapter 10 General.**
- Subchapter 11 Location Restrictions.**
- Subchapter 12 Operation and Maintenance.**
- Subchapter 13 Design Standards.**
- Subchapter 14 Financial Requirements.**
- Subchapter 15 Compliance and Enforcement.**
- Subchapter 16 Reserved.**
- Subchapter 17 Reserved.**
- Subchapter 18 Reserved.**
- Subchapter 19 Reserved.**

- Subchapter 10 General.**
 - § 10.01 Authority**
 - § 10.02 Purpose**
 - § 10.03 Applicability**
 - § 10.04 Definitions**
 - § 10.05 Effective Date**
-

§ 10.01 Authority

Ark. Code Ann. § 8-6-704(6) authorizes regional solid waste management boards to adopt such rules or regulations pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 *et seq.*, as are reasonably necessary to assure public notice and participation in any findings or rulings of the board and to administer the duties of the board. Further, Act 1280 of 1993, Section 5 states that: "Regional Solid Waste Management Boards may adopt more restrictive standards for the location, design, construction, and maintenance of solid waste disposal sites and facilities than the state or federal government."

§ 10.02 Purpose

Northwest Arkansas is facing a critical shortage of solid waste disposal capacity due to the difficulties in siting landfill facilities at the local level. In order to protect the fragile environment of Northwest Arkansas, yet provide for adequate solid waste disposal capacity, the Tri-County Solid Waste District has adopted these regulations.

§ 10.03 Applicability

Unless otherwise specified, these regulations found in Chapter E, Solid Waste Facilities, shall apply to every solid waste facility; located either wholly or partially within the counties of Benton, Washington and Madison, Arkansas; which is operated after the effective date of these regulations.

§ 10.04 Definitions

For the purposes of Chapter E, the following definitions shall apply:

(a) "Administrative Procedure Act" means the Arkansas Administrative Procedure Act codified at Ark. Code Ann. §§ 25-15-201 to 214, as amended from time to time.

(b) "ADEQ" or "Department" means the Arkansas Department of Environmental Quality.

(c) "Board" means the Board of Directors of the Tri-County Solid Waste District.

(d) "Directors" means the members of the Board of Directors of the Tri-County Solid Waste District.

(e) "District" means the Tri-County Solid Waste District, which includes the counties of: Benton; Washington and, Madison, and the municipalities within these counties.

(f) "Director" means the Director of the Tri-County Solid Waste District.

(g) "Solid Waste" means solid waste as defined by the Arkansas Department of Environmental Quality Regulation 22.

(h) "Solid Waste Disposal Facility" means any Class I or II sanitary landfill as defined by the Arkansas Department of Environmental Quality.

(i) "Solid Waste Facility" means any facility which holds or should hold a facility permit issued by the Solid Waste Division of ADEQ.

§ 10.05 Effective Date

These rules are effective 20 days after their filing with the Arkansas Secretary of State.

Subchapter 11 Location Restrictions.

§ 11.01 Reserved

§ 11.02 Watershed Buffers

§ 11.03 Measurement of Distances

§ 11.01 Reserved

§ 11.02 Watershed Buffers

(a) No Solid Waste Disposal Facility shall be located within two (2) miles of the following surface water bodies: Beaver Lake; Lake Francis; Lake Sequoyah; Table Rock Lake; Prairie Grove Lake; Lincoln Lake; Osage Creek (Benton Co.); Illinois River; White River including the East, Middle or West Forks; Kings River; Osage Creek (Carroll Co.); and, War Eagle Creek.

(b) The water bodies listed in § 11.02(a) shall be defined as those streams as marked and shown on the latest USGS 7.5 minute topographic maps and the lake boundaries existing during normal pool elevation.

§ 11.03 Measurement of Distances

All distances as put forth in Section 11.02 shall be measured by drawing a buffer of the appropriate distance radially around the permitted boundary of the facility, on the latest USGS 7.5 minute topographic map. Should any portion of the extended perimeter contact any water body listed in Section 11.02, the facility will be in violation of these regulations.

Subchapter 12 Operation and Maintenance.

§ 12.01 District Inspector.
§ 12.02 Leachate Collection Reporting.
§ 12.03 Groundwater Monitoring.
§ 12.04 Other Reporting.
§ 12.05 Landfill Personnel

§ 12.01 District Inspector.

(a) The District is empowered to hire an inspector, who shall have access to any open or closed solid waste facility within the District during normal operating hours.

(b) The District inspector shall be provided access to all parts of a facility and all records kept at the facility or at off-site offices. The findings of the inspector will be used for District purposes. In addition, a copy of the findings will be provided to ADEQ and to the facility.

§ 12.02 Leachate Collection Reporting.

Every Solid Waste Disposal Facility required to report the performance of its leachate collection system to the ADEQ, shall also provide a copy of reports monthly to the District. Such reports shall contain at a minimum the amount of leachate collected, any test results from testing the leachate and the final disposition of all leachate generated.

§ 12.03 Groundwater Monitoring.

(a) Every Solid Waste Disposal Facility required to sample and test groundwater monitoring wells shall test every such well at least quarterly and incorporate the results of such tests into the statistical analysis required by the ADEQ and/or the U.S. EPA.

(b) Every Solid Waste Disposal Facility shall sample and test all wells identified in the well inventory required by ADEQ Solid Waste Management Code Section XII, B, 2, before beginning construction of the Facility. Samples shall be tested for all constituents required under 40 C.F.R. Part 258, Appendix I. Copies of all test results shall be provided to the well owner and the District. The District shall maintain copies of the test results at its offices.

(c) The requirements of this Section shall not apply to landfills in operation as of the effective date of these regulations.

§ 12.04 Other Reporting.

Copies of any engineering reports or operating reports required to be submitted to the ADEQ or the U.S. EPA shall also be contemporaneously submitted to the District.

§ 12.05 Landfill Personnel

Every Solid Waste Disposal Facility operated within the District must employ the following landfill personnel:

(a) A Registered Professional Engineer must be responsible for the construction and operation of the landfill.

(b) Landfill managers/operators must hold a Class I landfill operators license issued by the ADEQ.

Subchapter 13 Design Standards.

§ 13.01 Pre-Construction Design.
§ 13.02 Landfill Design.
§ 13.03 Stormwater Basin Design.
§ 13.04 Compliance

§ 13.01 Pre-Construction Design.

All landfills, located either partially or wholly within the District shall adhere to the following site characterization and design criteria:

(a) Due to the unique land formations in Northwest Arkansas, the following information and studies are required to characterize any site proposed for a Class I or II landfill and must be submitted to the District:

(1) Fracture Trace Analysis from aerial photographs of the proposed site.

(2) Detailed surface geologic mapping of the site and the area within one mile of the boundary of the site. The following information must be obtained:

- A). The stratigraphy of the study area.
- B). Structure of the study area.
 - i) Location of faults including orientation, displacement length and hydraulic characteristics.
 - ii) Fracture spacing and fracture orientation for each stratigraphic unit identified.
 - iii) Location of karst features including, but not limited to, sinkholes, springs, losing and disappearing stream segments, caves (must be mapped within the study area) and dolens.

(3) Subsurface exploration must evaluate the following:

- A). Overburden.
 - i) Thickness and areal extent of each distinct textural horizon as defined by borings and test pits.
 - ii) Quality of soils (physical properties) must be determined for each stratigraphic or pedologic horizon including Atterburg limits (ASTM D 4318), Sieve analysis and grain size distribution curves (ASTM D 1140 and D 422), Standard penetration tests (ASTM D 1452), Remolded hydraulic conductivity test (ASTM D 5084), In-situ hydraulic conductivity test, Proctor density curves (ASTM D 1557) and Moisture contents (ASTM D 2216).
 - iii) Quantity of soils must be determined by borings and test pits. Borings shall be at a minimum spacing of one per 5 acres. Trackhoe pits shall be at a minimum spacing of one per acre.
- B). Bedrock topography.
 - i) Core drilling on at least one hole per 5 acres with analysis of fracture density, fracture orientation and sudden gains or losses of drilling fluid.
 - ii) Geophysical logs of borings including resistivity, conductivity, caliper, natural gamma, acoustic logs, video logs and temperature.
 - iii) Surface geophysical studies are required to evaluate areal changes in soil type, geologic structure, lithology, bedrock topography and prospect for large caverns. Geophysical surveys must be correlated with borings. The proposed geophysical study of the site must include two or more of the

following methods: Ground Penetrating Radar; surface conductivity; resistivity; shallow seismic refraction; and, shallow seismic reflection.

C). Hydrogeology.

- i) Potentiometric surface of the aquifer.
- ii) Preferred contaminant transport pathways determined by dye traces.
- iii) Aquifer properties using the following methods: Nested wells to determine vertical hydraulic gradients within the upper aquifer; pump tests using appropriate methodology for the aquifer and using multiple observation wells; and a single well aquifer test.
- iv) A recommended groundwater monitoring system consisting of wells and springs must be developed.
- v) Determine water chemistry variability within the uppermost aquifer for the list of Detection Monitoring parameters. At least one year of data must be collected at quarterly intervals to demonstrate seasonal ambient water quality variability.

D). All individual studies must be integrated into a comprehensive geologic and hydrogeologic model of the site which is summarized in a written report. The facility ground water monitoring points must be located based upon the hydrogeologic model developed for the site. All maps and cross sections must be of a uniform scale (the same size as used in the design blueprints - typically 1" = 50' to 1" = 400') and must include the following: Geologic map of the site; boring locations; geophysical lines or data collection points; Potentiometric maps Dye study results; Isopach maps of overburden; Bedrock topography maps (contour interval of 2 feet); Geologic cross sections; and, Percent coarse component soils map.

(b) The requirements of this Section shall not apply to Solid Waste Disposal Facilities which have submitted a final permit application to ADEQ prior to January 1, 1994.

§ 13.02 Landfill Design.

(a) Every Solid Waste Disposal Facility operated within the District shall be designed and constructed with a double composite liner system which consists of, at a minimum, the following: upper and lower composite liners separated by a leachate detection and collection system. Each composite liner shall consist of a flexible membrane liner underlain by a compacted clay liner.

(b) Every Solid Waste Disposal Facility constructed after the effective date of these regulations must employ a third party engineering firm to insure proper construction of each component of the containment structure and operation of the landfill. The permittee will pay all costs of this control.

(c) The requirements of this Section shall not apply to landfill cells constructed prior to January 1, 1994.

§ 13.03 Stormwater Basin Design.

(a) Any Solid Waste Disposal Facility, located either partially or wholly within the District, which is required to maintain a stormwater retention basin by either ADEQ or federal standards, particularly 40 C.F.R. § 258.26, shall build any such stormwater retention basin or basins to retain all stormwater generated by a 24-hour, 100-year rainfall event.

§ 13.04 Compliance.

Any Solid Waste Disposal Facility may demonstrate compliance with §§ 13.01 by submitting a certified statement, on a form provided by the District, signed by a professional geologist authorized to practice in the State of Arkansas. Any Solid Waste Disposal Facility may demonstrate compliance with §§ 13.02 and 13.03 by submitting a certified statement, on a form provided by the District, signed by a registered professional engineer authorized to practice in the State of Arkansas.

Subchapter 14 Financial Requirements.
§ 14.01 Host County compensation.

§ 14.01 Host County compensation.

Any Solid Waste Disposal Facility, located partially or wholly within the District, shall provide the host county with compensation in the amount of \$1.00 per ton of waste disposed of at the facility. A facility which crosses county boundaries shall prorate the \$1.00 per ton fee in proportion to the percentage of the active facility located within each county. The host counties may use the fees provided for any purpose they see fit, it being the intent of this rule, to provide funds to the counties to assist in increased road maintenance, neighbor compensation, litter control, etc. Payments shall be made quarterly for the previous quarter.

Subchapter 15 Compliance and Enforcement.
§ 15.01 Violations.
§ 15.02 Penalties.
§ 15.03 Enforcement.
§ 15.04 Inspection and Information Gathering.
§ 15.05 Severability.

§ 15.01 Violations.

It shall be a violation for any owner or operator of a solid waste facility to fail to comply fully with any provision of Chapter E.

§ 15.02 Penalties.

A penalty of up to \$10,000.00 per violation per day of violation may be assessed against any person violating the provisions of Chapter E.

§ 15.03 Enforcement.

The Director is authorized to seek the approval of the Board to institute legal and/or equitable action in the appropriate courts to enforce any violation of Chapter E.

§ 15.04 Inspection and Information Gathering.

Any Solid Waste Facility shall, upon the request of any District designated person, furnish information relating to any activity at the facility and permit such person at all times to have access

to, and to copy all records relating to such activity. Any District designated person shall be allowed to enter at any time all areas of the Facility and to inspect and obtain samples from any area of the Facility.

§ 15.05 Severability.

If any provision of these regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these regulations which can be given effect without the invalid provision or application, and to this end the provisions of these regulations are declared to be severable.

Subchapter 16 Reserved.

Subchapter 17 Reserved.

Subchapter 18 Reserved.

Subchapter 19 Reserved.

CHAPTER F: SOLID WASTE ASSESSMENT.

Subchapter 20 Assessment.

Subchapter 21 Procedure.

Subchapter 22 Compliance and Enforcement.

Subchapter 20 Assessment.

§20.01 Applicable Waste

§20.02 Fee Amount

§20.01 Applicable Waste

- (a) Starting January 1, 2003, there shall be assessed a fee, to be paid to the District, on all solid waste generated within the District; or generated outside the District and brought to a processing or disposal facility within the District.
- (b) This fee will be applicable to all solid waste that is collected and delivered to a processing, transfer or disposal facility.
- (c) This fee will not be applied to permitted landfills where a private industry bears the expense of operating and maintaining the landfill solely for the disposal of solid wastes generated by the industry; to any recyclable materials which are processed and marketed for recycling; to any organic materials which are delivered to a Class Y or O composting facility; to any materials which are removed from solid waste and processed for recycling; to waste tires processed through the District's waste tire program; or to household hazardous wastes collected through the District's HHW program that is handled as Subtitle C waste.

§20.02 Fee Amount

- (a) The amount of the fee assessed shall be \$1.50 per ton.
- (b) If weight tickets are not available, the fee shall be calculated on a volume basis as follows.
 - (1) \$0.25 per uncompacted cubic yard
 - (2) \$0.45 per compacted cubic yard

Subchapter 21 Procedures

§21.01 Landfills

§21.02 Solid Waste Material Recovery Facility

§21.03 Class S Composting Facility

§21.04 Transfer Stations

§21.05 Out-of-District Haulers

§21.06 Schedule

§21.01 Landfills

Any landfill located within the District shall pay to the District an amount equal to the per ton fee amount in Section 20.02 times the number of tons of solid waste handled. Such fee will be paid according to the schedule listed in Section 21.06.

§21.02 Solid Waste Material Recovery Facility

(a) Any Solid Waste Material Recovery Facility located within the District shall pay to the District an amount equal to the per ton fee amount in Section 20.02 times the number of tons of solid waste handled. Such fee will be paid according to the schedule listed in Section 21.06.

(b) Any waste handled by a solid waste material recovery facility that is delivered to a landfill within the District shall be exempt from the fees imposed by this Section.

§21.03 Class S Composting Facilities

(a) Any class S composting facility located within the District shall pay to the District an amount equal to the per ton fee amount in Section 20.02 times the number of tons of solid waste handled. Such fee will be paid according to the schedule listed in Section 21.06.

(b) Any waste handled by a class S composting facility that is delivered to a landfill within the District shall be exempt from the fees imposed by this Section.

§21.04 Transfer Stations

(a) Any transfer station located within the District shall pay to the District an amount equal to the per ton fee amount in Section 20.02 times the number of tons of solid waste handled. Such fee will be paid according to the schedule listed in Section 21.06.

(b) Any waste handled by a transfer station that is delivered to a landfill, solid waste material recovery facility or class S composting facility within the District shall be exempt from the fees imposed by this Section.

§21.05 Out-of-District Haulers

Any hauler who collects solid waste generated within the District but transports it out of district for processing or disposal shall be required to submit the applicable fee in Section 20.02 times the number of tons of waste transported, to the District according to the schedule in §21.06.

§21.06 Schedule

Fees shall be paid to the District quarterly. For all wastes handled during the months of January – March, payment will be due by April 30th. For all wastes handled during the months of April – June, payment will be due by July 30th. For all wastes handled during the months of July – September, payment will be due by October 30th. For all wastes handled during the months of October – December, payment will be due by January 30th.

Fees must be submitted along with a form, provided by the District. A copy of ADEQ's Solid Waste Quarterly Report Form is acceptable in lieu of the District form.

§21.07 Recycling Credits

- (a) Any facility required to pay fees under this Chapter, may be entitled to credits for fees paid on waste handled at their facility that was later recycled or composted.
- (b) Solid Waste Material Recovery Facility. A Solid Waste Material Recovery Facility may take credit for any materials they have previously paid a fee on if they can demonstrate that those materials were later shipped for recycling or converted to compost.
- (c) Class S Composting Facility. A Class S Composting Facility may take credit for any materials they have previously paid a fee on if they can demonstrate that those materials were later shipped for recycling or converted to compost.

§21.08 Intent

It is the intention under these regulations for all waste that is generated or disposed of within this District to be assessed this fee one time only. Wastes which are ultimately recycled or composted should be exempt or credited.

Subchapter 22 Compliance And Enforcement

§ 22.01 Violations.

§ 22.02 Penalties.

§ 22.03 Enforcement.

§ 22.04 Inspection and Information Gathering.

§ 22.05 Severability.

§ 22.01 Violations.

It shall be a violation for any owner or operator of a solid waste facility or solid waste hauler to fail to comply fully with any provision of Chapter F.

§ 22.02 Penalties.

A penalty of up to \$1,000.00 per violation per day of violation may be assessed against any person violating the provisions of Chapter F.

§ 22.03 Enforcement.

The Director is authorized to seek the approval of the Board to institute legal and/or equitable action in the appropriate courts to enforce any violation of Chapter F.

§ 22.04 Inspection and Information Gathering.

Any Solid Waste Facility or Solid Waste Hauler shall, upon the request of any District designated person, furnish information relating to any activity at the facility or business and permit such person at all times to have access to, and to copy all records relating to such activity. Any District designated person shall be allowed access to all requested records during normal business hours.

§ 22.05 Severability.

If any provision of these regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these regulations which can be given effect without the invalid provision or application, and to this end the provisions of these regulations are declared to be severable.

CERTIFICATION OF RULES

The preceding 36 pages, containing the complete set of regulations of the Tri-County Solid Waste District, are a certified copy of the regulations as enacted by action of the Board taken May 20, 2004 in Springdale, Arkansas

Steven L. Parker
Director

Attachment 3 Board & Staff

Tri-County Solid Waste
Board of Directors
2004

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Tom Wilson
Recycling Driver

Vacant
Transfer Station Worker

Vacant
Driver

Attachment 4

Financial Information

General Funds 2003

	Jan - Dec 03
Income	
Interest	7,975.65
Local Contributions	162,682.20
Misc Income	61,788.96
Recycling Grants	327,822.33
Services	13,195.00
Waste Assessment	457,813.75
Total Income	1,031,277.89
Gross Profit	1,031,277.89
Expense	
Advertising/Publications	25,779.30
Auto Expense	17,931.12
Capital Expenditure	52,902.24
Depreciation Expense	50,000.00
Dues, Subscriptions, Membership	3,539.51
Grant Pass-Through	248,017.48
Insurance	
Liability Insurance	6,143.00
Work Comp	3,197.00
Total Insurance	9,340.00
Leases	1,815.69
Miscellaneous	64,717.31
Office Supplies	5,798.87
Personnel	
Health Insurance	21,865.64
Payroll Expenses	215,072.87
Retirement	16,483.70
Total Personnel	253,422.21
Postage and Delivery	2,266.97
Printing and Reproduction	10,496.15
Professional Fees	41,144.12
Repairs & Maintenance	9,476.89
Service Contracts	174,831.27
Travel & Entertainment	9,572.04
Utilities	10,354.48
Workshops, Seminars, Etc.	6,735.27
Total Expense	998,140.92
Net Income	33,136.97

Waste Tire Program 2003

	<u>Jan - Dec 03</u>
Income	
Abatement Grants	3,387.00
District Fees	83,787.45
Grant Funds	319,828.00
Interest	577.61
Misc. Income	5,000.00
Support Grants	13,597.00
Truck Tires	41,089.77
Total Income	<u>467,266.83</u>
Gross Profit	467,266.83
Expense	
Administration	167.00
Capital Expenditure	38,809.92
Collection Center Expenses	20,934.40
Contractor Expenses	416,528.21
Licenses & Permits	250.00
Miscellaneous	54,408.23
Total Expense	<u>531,097.76</u>
Net Income	<u><u>-63,830.93</u></u>

Attachment 5

City & County Information