

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY  
SOLID WASTE MANAGEMENT DIVISION

**TIMELINE OF HISTORICAL EVENTS OF ARKANSAS SOLID WASTE MANAGEMENT**

**1971 - 2011**

**INTRODUCTION**

From the historical perspective, solid waste legislation and regulation in Arkansas has been a slow and steady process, squaring environmental and public interest with technological progress.

- Discussing the evolution of solid waste legislation, and the promoting issues, leads to the 1991 Federal Resource Conservation and Recovery Act (RCRA).
- This resulted in the significant Subtitle D Requirements placed upon our municipal solid waste landfills, followed by subsequent dramatic State legislation and a new direction of solid waste management.

Copies of Acts can be located at <http://www.arkleg.state.ar.us/SearchCenter/Pages/historicalact.aspx>.

YEAR	EVENT	OUTCOME
1971	<p><b>Act 237</b> Establishes the solid waste policy of the State and gave authority for regulating solid waste to the <b>Arkansas Department of Pollution Control and Ecology (ADPCE)</b>.</p> <p><i>(The name changed to the <b>Arkansas Department of Environmental Quality (ADEQ)</b> March 31, 1999.)</i></p>	<p>THEN, the policy was for the State to regulate the collection and disposal of solid waste in a manner to:</p> <ul style="list-style-type: none"> <li>• Protect the public health and welfare.</li> <li>• Prevent water and air pollution.</li> <li>• Prevent spread of disease and creation of nuisances.</li> <li>• Conserve natural resources.</li> <li>• Enhance the beauty and quality of the environment.</li> </ul> <p>Made it responsibility of counties to properly manage the collection, transportation and disposal of waste within their jurisdiction.</p>
1973 to 1983	<ul style="list-style-type: none"> <li>• State and Federal funding was put into place.</li> <li>• Professional staff was hired.</li> <li>• Department worked to move state from open burning dumps to a regulated system.</li> <li>• Increased burden in managing solid waste system disposal.</li> </ul>	<p>THEN, citizen demands and other regulatory agencies caused local governments to turn away from seemingly less urgent demands of solid waste problems.</p> <ul style="list-style-type: none"> <li>• Federal funding was deleted in 1981, eliminating state’s enforcement program, and putting solid waste on “back burner”.</li> <li>• By 1982, <b>ADPCE</b> only had two employees to oversee solid waste.</li> <li>• Conditions worsened over the years from lack of attention – open dumping proliferated.</li> </ul>
1984 To 1989	<p><b>REBUILDING THE ARKANSAS SOLID WASTE MANAGEMENT PROGRAM</b></p> <ul style="list-style-type: none"> <li>• <b>ADPCE</b> evaluated situation and revised the Solid Waste Management Code in 1984.</li> <li>• Used until 1995 revision, the Code placed modern engineering and design standards on landfills.</li> </ul>	<p>THEN, local governments began to find themselves with serious and severe financial and environmental problems in solid waste management and compliance.</p> <ul style="list-style-type: none"> <li>• A 1989 proposal by a private company to import waste inflamed the issue.</li> <li>• The future of solid waste was suddenly one of the most prevalent issues of the 77th session of the Arkansas General Assembly.</li> <li>• <b>ADPCE</b> required submission of solid waste management plans from areas where open dumping indicated most serious problems.</li> </ul>

**LEGISLATORS TAKE NOTICE – SUBSEQUENT SESSIONS TACKLE SWEEPING SOLID WASTE ISSUES**

<p><b>1989</b></p>	<p><b>Act 870</b></p> <ul style="list-style-type: none"> <li>Creates eight <b>Regional Solid Waste Management Districts (RSWMDs)</b> (utilizing same service areas of the eight Planning and Development Districts (PDD’s) (<i>Currently named the Economical Development Districts (EDD’s)</i>).</li> <li>Charges Task Force with revamping current practices.</li> </ul>	<p>THEN, <b>RSWMD</b> boards were to collect information, access and plan for solid waste needs of the districts, shifting the ultimate responsibility from individual counties. (<i>Currently, there are eighteen districts.</i>)</p> <ul style="list-style-type: none"> <li>Placed a moratorium and limit on new landfills receiving waste outside district boundaries.</li> <li>Created the <b>Arkansas Solid Waste Fact Finding Task Force</b> with a mandate to collect data and report upon the sociological, economic, environmental, political and public health ramifications of current solid waste management practices. They were to then propose policies and legislation which should be adopted regarding solid waste management issues.</li> </ul>
<p><b>1989</b></p>	<p><b>Act 934</b> Creates a grants program</p>	<p>THEN, a state grant program was created to enable communities to develop new recycling and solid waste management programs.</p> <ul style="list-style-type: none"> <li>Grants (<i>originally open to public and private entities – now, to RSWMDs</i>) were for planning, recycling equipment and facilities, marketing development, education and public awareness, and transfer stations that also recycle.</li> <li>Revenue for the fund is raised by a fee on solid waste disposed of in municipal landfills.</li> <li>Objective to create incentives for localities to change from total reliance on landfills to increased reduction and recycling.</li> <li><b>ADPCE via Regulation 11</b> administers the Disposal Fees and Recycling Grants Program             <ul style="list-style-type: none"> <li><b>Regulation 11: Disposal Fees and Recycling Grants Program</b>, was originally promulgated in 1991, pursuant to Act 934 of 1989. Disposal Fees from permitted landfills began October 1989.</li> <li><b>Regulation 11</b> has been amended periodically to meet legislative requirements. Subsequent versions have included provisions that cover such items as the collection of fees to fund a landfill post-closure trust fund, the collection of fees from industrial landfills (Class 3’s) and the collections of fees on waste that is generated in Arkansas, but is transported out-of-state for disposal.</li> <li>The latest version is currently under review for revision. However, administrative activities required by legislation are put in place on the effective date of such legislation.</li> </ul> </li> </ul>
<p><b>1991</b></p>	<p><b>Act 9</b> Prohibits landfills from expanding amount of solid waste received originating outside of district.</p>	<p><b>Act 9</b> amended Act 870 of 1989 to extend to March 2, 1991, the prohibition against landfills expanding or increasing the amount of waste received which originates from outside of its <b>RSWMD</b>.</p> <p>No new applications for landfill permits, seeking to dispose solid waste which originates from outside the <b>RSWMD</b>, can be accepted.</p>
<p><b>1991</b></p>	<p><b>Act 319</b> Establishes a moratorium on expansion of landfill service areas</p>	<p>THEN, a moratorium on expansion of landfill service areas for the purpose of realizing the goal of regional solid waste management, except:</p> <ul style="list-style-type: none"> <li>If on 3-1-89, the a landfill didn’t serve area outside its district, it can accept up to 50 tons per day;</li> <li>If on 3-1-89, the landfill served areas outside district, it shall not increase out of district waste by more than 20% annually of total volume received from outside district.</li> </ul>

	<b>Act 319</b> (continued)	<ul style="list-style-type: none"> <li>No new landfill can receive out-of-district waste (except private industry landfills), if applied for permit prior to 3-1-91.</li> <li>No new landfill permits for waste (out of district) shall be accepted unless pending before 3-1-89, except private industry.</li> <li><b>ADPCE</b> Director can grant out of district exemption for recycling.</li> <li>A city landfill with less than 1 ½ years life can transport out of district until a landfill is available in district.</li> </ul>
1991	<b>Act 454</b> Requires disclosure statements	THEN, all applicants for the issuance or transfer of any permit, license, certification or operational authority issued by DPC&E must file a disclosure statement with the application, disclosing pertinent financial information.
1991	<b>Act 516</b> Authorizes <b>ADPCE</b> legal action under 1977 Litter Control Act	<p>THEN, <b>ADPCE</b> could exercise concurrent authority with the Attorney General to initiate legal actions for recovery of costs expended by the State, for injunctive relieve pursuant to the Litter Control Act of 1977, to bring suit on behalf of the state to abate public nuisances, such as the maintenance and storage of:</p> <ul style="list-style-type: none"> <li>Litter</li> <li>Junk motor vehicles</li> <li>Old vehicle tires</li> <li>Inoperative or discarded household appliances</li> </ul> <p><b>ADPCE</b> may now apply to chancery court or judge for injunction of restraint or abatement of violations.</p>
1991	<b>Act 629</b> Applies Privatization Act to Solid Waste Disposal	<p><b>Act 629</b> amends Arkansas Privatization Act to Include Disposal Facilities</p> <ul style="list-style-type: none"> <li>Declares it is policy of state to assure citizens adequate public services at reasonable cost.</li> <li>Cost of construction, owning and operating capital facilities is increasingly burdensome to cities and counties and innovative financing mechanisms must be made available.</li> <li>With public notice, any local government may enter into privatization contract with private owner/operator to transfer local government owned SW disposal project.</li> </ul>
1991	<b>Act 722</b> Authorizes County Environmental Officers.	<p>NOW, each county may employ an environmental officer</p> <ul style="list-style-type: none"> <li>Officer may complete training course for law enforcement officers at the Law Enforcement Training Academy.</li> <li>Officer may issue citations for violations of dumping ordinances.</li> <li>Officer may carry firearms and issue citations for environmental issues.</li> </ul>
1991	<b>Act 744</b> Restructures the Arkansas Pollution Control and Commission	<p><b>Act 744</b> also:</p> <ul style="list-style-type: none"> <li>Allows Governor to appoint <b>ADPCE</b> Director;</li> <li>Allows personnel of other state agencies, educational institutions and consultants to assist Commission;</li> <li>Allows appeal process for applicants denied permits.</li> </ul>
1991	<b>Act 747</b> Creates the Landfill Post-Closure Trust Fund	<p><b>Act 747</b> imposes an additional disposal fee on Municipal Solid Waste Landfills of \$1.00 per ton (<i>Currently caps at \$25 million, to be reinstated when fund is spent down to \$15 million.</i>)</p> <p>Administered by <b>ADPCE</b> via <b>Regulations 11 and 22</b>, the fund is used if:</p> <ul style="list-style-type: none"> <li>Landfill (not receiving waste) is causing groundwater contamination or other hazardous contamination.</li> <li>Landfill owner or operator has spent \$10,000 for correction action; can't</li> </ul>

		be found, and an emergency exists.
1991	<b>Act 748</b> Establishes Arkansas income tax credit for recycling equipment purchases	<p><b>Act 748</b>, administered by <b>ADPCE</b> via <b>Regulation 16</b>, provides a state tax credit for 30% of the cost of equipment for any taxpayer:</p> <ul style="list-style-type: none"> <li>• Engaged in the business of reducing, reusing or recycling solid waste materials for commercial purposes;</li> <li>• Who purchases waste reduction, reuse or recycling equipment used exclusively for these purposes.</li> </ul>
1991	<b>ACT 749</b> Comprehensively restructures the Solid Waste Management and Recycling Act	<p>THEN, recycling issues and projects across Arkansas began yielding sweeping changes and additions, improvements and solutions, plans and ideas, all because <b>Act 749</b>:</p> <ul style="list-style-type: none"> <li>• Created a new subchapter on recycling, naming it a policy of Arkansas to encourage and promote recycling to conserve our natural resources, conserve energy and preserve landfill space.</li> <li>• Adopted a Statewide recycling goal of 30% of waste stream by 1995; 40% by 2000.</li> <li>• Established a <b>State Marketing Board for Recyclables</b> with 5 voting members appointed by the Governor. The Board’s duties include: develop a program for the coordination of existing marketing programs for recyclables; develop an overall marketing plan for the State; conducting an inventory for recyclables in Arkansas and surrounding states; work with industry to encourage use of recyclables; recruit new industry that use recyclables, maintain market prices and trends.</li> <li>• Set guidelines for labeling of plastic containers as to resin type.</li> <li>• Provided a policy regarding lead-acid batteries (<i>beginning a recycling fee program; a landfill ban</i>).</li> <li>• And a policy for used motor oil (<i>adopting regulations for collection, storage, disposal, reuse or recycling of used motor oil</i>).</li> <li>• Established the <b>Waste Tire Program</b>; created the funding process for permitting waste tire collection and processing facilities; and provided funding, by initiating a fee on each motor vehicle tire sold at retail, and detailed waste tire and grants management procedures for the waste tire program (<i>Administered by ADPCE via Regulation 14</i>).</li> </ul> <p><b>Act 749</b> further:</p> <ul style="list-style-type: none"> <li>• Imposed purchase procedures for State purchasing paper products and recycled paper, with a goal of 60% content by 2000.</li> <li>• Required that applicants and their agents receiving a solid waste management and recycling grant or a waste tire grant have a solid waste management plan on file with <b>ADPCE</b>; actively develop a recycling program, actively seek to market or reuse diverted materials; provide detailed information when applying for mechanical process equipment or facility grants; provide public notices of any grant request.</li> </ul> <p><b>Act 749</b> established specific responsibilities of and duties to be performed by <b>ADPCE</b> and the Commission:</p> <ul style="list-style-type: none"> <li>• Director or designee to serve on Marketing Board.</li> <li>• Provide support staff to Marketing Board</li> <li>• Adopt rules and regulations to effectuate this subchapter</li> <li>• Establish a Waste Tire Grant Fund</li> <li>• Provide technical assistance and planning to institute this act.</li> <li>• Produce, print, and distribute notices on lead-acid batteries.</li> </ul>

	<p><b>Act 749</b> (continued)</p>	<ul style="list-style-type: none"> <li>• ADPC&amp;E will be responsible for approval of plans from waste tire sites for removal, disposal and recycling of tires.</li> <li>• Establish a program to make grants to <b>RSMWD</b> Boards for disposal and/or recycling of waste tires in acceptable ways.</li> </ul> <p>The Commission is to adopt regulations to carry out provisions, to include:</p> <ul style="list-style-type: none"> <li>• Waste Tire Processing Facility permits.</li> <li>• Waste Tire Collector permits.</li> <li>• Standards for waste tire facilities and sites.</li> <li>• Procedures for waste tire grant programs</li> <li>• Authorization for final disposal of waste tires at permitted facility</li> <li>• Encourage voluntary establishment of waste tire collection centers.</li> <li>• License statewide disposal facilities for waste tires.</li> <li>• Establish criteria for application for a waste tire facility.</li> <li>• Adopt regulations for collection, storage, and disposal, reuse or recycling of used motor oil by 12-31-92.</li> </ul>
<p>1991</p>	<p><b>Act 750</b> Classifies landfills and certifies operators</p>	<p>By amending the Arkansas Code of 1987, <b>Act 750</b>:</p> <ul style="list-style-type: none"> <li>• Classified public and private sanitary landfills, by calling upon the commission to do so, taking into account size, type and complexity, character and volume of waste, population served, and skill of supervision.</li> <li>• Established a licensing committee which will advise the Director on qualifications to provide successful proper operation of sanitary landfills within the established classifications.</li> <li>• Required that all operators in responsible charge of landfills be duly licensed and certified by <b>ADPCE</b> as competent, setting annual fees for such licenses to cover the administration of the <b>Solid Waste Operator Licensure Program</b>.</li> <li>• This Act is administered by <b>ADPCE</b> via <b>Regulation 27</b>.</li> </ul>
<p>1991</p>	<p><b>Act 751</b> Amends various sections of the Solid Waste Management Code</p>	<p><b>Act 751</b> is another Act that applies to various sections of the Solid Waste Management Code, adding powers and duties, with regulations to be promulgated by the Commission, to wit:</p> <ul style="list-style-type: none"> <li>• Landfill fees for ash are required to be based on weight.</li> <li>• <b>ADPCE</b> Landfill inspections are to be conducted quarterly.</li> <li>• Transporters of used and waste tires receive new regulations and licensing procedures.</li> <li>• A new section is added for “Applicants of Permits” regarding new permit dates, applicable to all landfills except private industry landfills.</li> <li>• A ban on yard waste in a solid waste disposal site, except for “fugitive amounts” becomes effective 7-1-93.</li> <li>• The Joint Interim Committee on Public Health, Welfare and Labor is now required to review any new rules and regulations under this subchapter.</li> <li>• Advise appropriate units of government in formulation of plans and implementation of a solid waste management program.</li> <li>• Administer loans and grants from federal government and other sources available to the Commission for planning, construction and operation of solid waste management systems and disposal facilities.</li> <li>• Develop statewide solid waste management plan in cooperation the municipal and county governments and <b>RSWMD</b> boards.</li> <li>• Adopt and enforce rules and regulations for the source reduction, recycling, collection, transportation and disposal of solid wastes.</li> </ul>

	<b>Act 751</b> (continued)	<ul style="list-style-type: none"> <li>• Establish standards and procedures for the certification of personnel to operate solid waste disposal systems.</li> </ul>
1991	<b>Act 752</b> Creates Regional Solid Waste Management Boards	<p>THEN, Solid Waste Management in Arkansas stepped into the realm of regionalization as recommended by the Governor’s <b>Arkansas Solid Waste Fact Finding Task Force</b> of 1989.</p> <ul style="list-style-type: none"> <li>• Eight Arkansas <b>Solid Waste Management Districts (RSWMDs)</b> are formed, originally with the same service areas as the then eight Planning and Development Districts.</li> <li>• <b>RSWMD</b> Boards consist of representatives from each first class city and from each county.</li> <li>• Additionally, <b>RSWMDs</b> may be created inter-locally with than one county, or if a county has a population of at least 50,000.</li> </ul> <p><b>Act 752</b> established original <b>RSWMD</b> Board Powers and Duties. Beginning in 1991, <b>RSWMD</b> Boards <b>must</b>:</p> <ul style="list-style-type: none"> <li>• Issue or deny a Certificate of Need (CON) to any applicant for a solid waste disposal facility within the district.</li> <li>• Develop a solid waste management plan.</li> <li>• Establish programs to encourage recycling.</li> <li>• Establish a waste tire collection center by 7-1-93.</li> <li>• Implement a composting program by 7-1-92.</li> <li>• Make and execute contracts to exercise the powers of <b>RSWMD</b>.</li> <li>• If applicable, enter into an agreement with another <b>RSWMD</b> to allow solid waste transfers to another <b>RSWMD</b>.</li> <li>• Apply for permits, licenses, certificates or approvals as needed to run solid waste management system.</li> <li>• Employ personnel required by <b>RSWMD</b>.</li> <li>• Purchase necessary insurance.</li> <li>• License haulers and disposers of solid waste, using minimum standards to be promulgated by the State.</li> </ul> <p><b>RSWMD</b> Boards <b>may</b>:</p> <ul style="list-style-type: none"> <li>• Contract with private firms or constituent cities or counties to perform the management functions of the <b>RSWMD</b>.</li> <li>• Elect that solid waste generated with the <b>RSWMD</b> boundaries be taken to a particular permitted location for disposal.</li> <li>• Additionally, bonds may be issued by the <b>RSWMD</b> Boards to pay for project costs and accomplish projects.</li> </ul> <p><b>RSWMD</b> Boards <b>may not</b>:</p> <ul style="list-style-type: none"> <li>• Appropriate by eminent domain any property upon which is located or will be located a permitted landfill, recycling facility or incinerator.</li> </ul> <p><b>ADPCE</b> now has the added responsibility of:</p> <ul style="list-style-type: none"> <li>• Developing procedures for review and approval of needs assessments.</li> <li>• Developing procedures and regulations for <b>RSWMBs</b>.</li> <li>• Reviewing and approving <b>RSWMBs</b> plans.</li> <li>• Ensuring establishment by <b>RSWMBs</b> of pilot program for composting yard waste in 5000 plus population areas.</li> <li>• Ensuring <b>RSWMBs</b> establish waste tire collection sites.</li> <li>• Ensuring <b>RSWMBs</b> give residents opportunity to recycle by establishing curbside pickup or convenient collection centers.</li> <li>• Ensuring <b>RSWMBs</b> place a recyclable materials collection center in each county.</li> <li>• Ensuring <b>RSWMBs</b> properly license haulers of solid waste.</li> </ul>

		<ul style="list-style-type: none"> <li>•</li> </ul>
1991	<b>Act 754</b> Increases landfill disposal fees	<p>THEN, after evaluating funds needed to implement planned solid waste programs, the Legislators passed <b>Act 754 of 1991</b>, expanded <b>Act 934 of 1989</b> by:</p> <ul style="list-style-type: none"> <li>• Increasing municipal landfill disposal fees to \$1.50 a ton, \$.45 for compacted cubic yards, and \$.25 for uncompacted cubic yards.</li> <li>• Implementing a disposal fee of \$.50 a ton, \$.20 for compacted cubic yards, and \$.10 for uncompacted cubic yards on landfills where a private industry bears the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry.</li> </ul>
1991	<b>Act 755</b> Defines landfills under Solid Waste Management Recycling Fund Act; Describes Grants Fund.	<p>Dovetailing off of <b>Act 754, Act 755:</b></p> <ul style="list-style-type: none"> <li>• Offers definitions that apply to <b>Solid Waste Management and Recycling Fund Act</b></li> <li>• Exempts landfills from the disposal fee program that are operated by a regulated public utility for ash generated by the combustion of coal to produce electric energy.</li> <li>• Provides quarterly fee reporting and collection guidelines</li> <li>• Provides funding to a <b>State Marketing Board for Recyclables</b> of 25% of disposal fees collected from private industry landfills.</li> <li>• Removes the requirement that quarterly assessment notices must be sent by certified mail to landfills.</li> </ul>
1991	<b>Act 960</b> Provides some tax exemptions	While not directly related to <b>ADPCE</b> , of note is that <b>Act 960</b> states that sanitation authorities operate in a governmental capacity, and as such are exempt from taxation in the State of Arkansas.
1991	<b>Act 993</b> Adds to new landfill permits	<p>NOW, <b>ADPCE:</b></p> <ul style="list-style-type: none"> <li>• Cannot issue a permit for landfills to be located within 15 miles of an existing landfill.</li> <li>• The exception is landfills within Pulaski County, if locations are divided by the Arkansas River.</li> </ul>
1991	<b>Act 1007</b> Amends collection of fees or charges for Solid Waste Management Services	Also, not related to <b>ADPCE</b> , but note that <b>Act 1007</b> sets out guidelines for municipalities, counties, and solid waste authorities to collect fees and charges for solid waste management services via county property taxes or by a lien on taxpayer's real and personal property.
1991	<b>Act 1057</b> Provides increased criminal and civil penalties for environmental violations	<p><b>Act 1057</b> not only provides increased criminal and civil penalties for environmental violations,</p> <ul style="list-style-type: none"> <li>• It clarifies civil and administrative authority of <b>ADPCE</b>.</li> <li>• Provides violator and penalty descriptions and guidelines.</li> <li>• Sets financial penalties and all monies collected go to department's operating fund.</li> <li>• Violators shall be guilty of misdemeanors, subject to jail time.</li> </ul>
1991	<b>Act 1183</b> Defines Incinerator Ash Landfills	<b>Act 1183</b> requires treatment of certain wastes. Incinerator ash must be disposed of in a permitted monofill.
1992 Special Session	<b>Act 8</b> Provides Administrative Funds to <b>RSWMDs</b>	<b>RSWMDs</b> are allowed grants for administrative costs, funded through the <b>Solid Waste Management and Recycling Grants Program</b> , pursuant to <b>ADPCE</b> generated amendments to <b>Regulation 11</b> . Total costs not to exceed \$500,000 for the State, per annum.
1992 Special Session	<b>Act 40</b> Addresses County sales tax use	This Act allows counties to use proceeds from a sales tax to finance a solid waste management system.
1993	<b>Act 125</b>	The solid waste applicability of <b>Act 125</b> allows changes in the fee structures pursuant to facility permitting fees and to the Waste Tire Fund fees, to wit:

	Addresses ADPCE Fee Structures  <b>Act 125</b> (continued)	<ul style="list-style-type: none"> <li>• Reasonable permit fees (including initial fees, annual review fees, and modification fees), which generate revenues for <b>ADPCE</b> operating costs, are now calculated by capping fees at the appropriated amount, provided the revenues do not exceed 4.25 times 1992-93 collections.</li> <li>• Waste Tire Fees are amended by <b>Act 125</b> by imposing \$1.50 per tire sold at retail; and delineating 7.5% for collection (DF&amp;A), with remaining 90% to Waste Tire Grants (eligible to <b>RSWMDs</b>), and 10% to <b>ADPCE</b> costs.</li> </ul>
1993	<b>Act 518</b> Amends the Waste Tire Program	To help meet the growing needs of the Waste Tire Program, <b>Act 518</b> : <ul style="list-style-type: none"> <li>• Increases the number of tires which may be stored at collection centers.</li> <li>• Authorizes waste tire processing facilities to accept waste tires from outside the solid waste district.</li> <li>• Allows the licensure of statewide disposal facilities for waste tires.</li> </ul>
1993	<b>Act 519</b> Develops Waste Tire manifests	Further enhancing Waste Tire Program, <b>Act 519</b> places additional storage requirements on waste tire collectors and establishes a waste tire manifest program to help ensure more accurate processing and accounting activities.
1993	<b>Act 519</b> References imported Waste Tires	Joining other Waste Tire Program issues in 1993 Legislative Session, <b>Act 519</b> provides fee exceptions on imported waste tires.
1993	<b>Act 619</b> Authorizes disposal of Solid Waste from adjoining <b>RSWMDs</b>	<b>RSWMDs</b> are given additional powers and duties to: <ul style="list-style-type: none"> <li>• Collect data, study, evaluate needs within district, updating needs assessment biennially</li> <li>• Make recommendations to local governments within district to provide adequate solid waste management.</li> <li>• Issue (or deny) certificates of need for permits within district, and other related activities.</li> <li>• And they may now enter into agreements with adjoining <b>RSWMDs</b> to transfer waste within their district, and allow for the disposal of waste from adjoining districts, and related appropriate activities that significantly benefit the districts, Arkansans, and the environment.</li> </ul>
1993	<b>Act 654</b> Concerns AR income tax credit for recycling equipment	<b>Act 654</b> clarifies and defines the tax credit ( <b>Regulation 16</b> ) for waste reduction, reuse, or recycling equipment; identifies that the use of Arkansas post-consumer waste should be encouraged by means of this credit; and that the credit should be refunded or disallowed under certain circumstances.
1993	<b>Act 727</b> Addresses Littering	Besides increasing the fine for Littering to \$1000, ( <i>in later session, fine is reduced to \$100</i> ) <b>Act 727</b> , adds more strength to beleaguered littering issues by allowing the suspension of driving privileges upon failure to pay the fine.
1993	<b>Act 1030</b> Establishes entitlement funding for solid waste management and recycling to <b>RSWMDs</b>	THEN, the Solid Waste Management and Recycling Grants Program received a complete revamping. ( <i>It was previously open to a variety of grant applicants, with funding determined via an individual scoring system.</i> ) <ul style="list-style-type: none"> <li>• Shifts the responsibility to <b>RSWMDs</b> to gather and select projects within their service area to present to <b>ADPCE</b> for approval.</li> <li>• Allows “entitlement” funding to <b>RSWMDs</b>, utilizing a calculation method known as “Method A” (50% of grant funds divided by 8 Regional Planning and Development Districts populations);</li> <li>• Combines “Method A” with “Method B” (50% of grant funds divided by current number of <b>RSWMDs</b> populations) to determine actual individual <b>RSWMD</b> funding.</li> <li>• Allows <b>RSWMDs</b> up to 25% for administrative purposes (not to exceed total of \$500,000 annually)</li> </ul>
1993	<b>Act 1127</b> Addresses Arkansas Solid Waste	Some solid waste, generated in Arkansas, is transported out of state for disposal, but amounts were not reported and fees were not collected on this



	that is disposed of in other states <b>Act 1127</b> (continued)	waste, as from in-state landfills. <b>Act 1127</b> closed the gap by: <ul style="list-style-type: none"> <li>• Including this waste in the accountability system provided by the Landfill Disposal Fees (administered by <b>ADPCE</b> via <b>Regulation 11</b>).</li> <li>• Establishing a program to collect fees quarterly from the out-of-state transporter - \$1.00 per ton; \$.30 per compacted cubic yard; and \$.15 per uncompacted cubic yard.</li> </ul> Fees collected via <b>Act 1127</b> help support the Solid Waste Management and Recycling Fund and are included in the grant process to <b>RSWMDs</b>
1993	<b>Act 1280</b> Amends Portions of Solid Waste Management Act	The General Assembly noted that present landfill capacity was grossly inadequate. Also of note was that RSWMDs and local governments were conflicting in their powers and duties re solid waste. So <b>Act 1280</b> : <ul style="list-style-type: none"> <li>• Restricted local governments to follow <b>RSWMDs</b> more restrictive policies, ordinances and rules.</li> <li>• Charged <b>RSWMDs</b> with added responsibility of establishing policies for adequate solid waste management systems to their citizens.</li> </ul>
1995	<b>Act 163</b> Defines Purchasing Procedures	NOW, <b>RSWMDs</b> must follow county purchasing procedures
1995	<b>Act 165</b> Amends the Licensing of Operators	This Act enhances the Licensure of Solid Waste Facility Operators Act, setting fees, establishing procedures for committee members, augments licensing process.
1995	<b>Act 193</b> Adds amendment to the Licensing of Operators	This Act is a companion the prior Act pertaining to the Licensure of Solid Waste Facility Operators Act.
1995	<b>Act 439</b> Pertains to Bond Issuance	<b>Act 439</b> provides even more powers to <b>RSWMDs</b> by allowing them to seek bond advice from DF&A and allowing Bond Issuance for projects that are financially feasible and advisable.
1995	<b>Act 463</b> Focuses on Grant Reporting	THEN, <b>ADPCE</b> had to begin providing an annual report to the Governor on Grants provided via the Solid Waste Management and Recycling Fund.
1995	<b>Act 502</b> Establishes Policy to Eliminate Illegal Dumping	<b>Act 502</b> provides extra enforcement and a policy mechanism for eliminating Illegal Dumping in Arkansas by: <ul style="list-style-type: none"> <li>• Allowing government and citizens an avenue to report illegal dumping and file complaints.</li> <li>• Provides a venue of legal orders being issued for cleanup actions.</li> <li>• Provides fines and criminal, civil and administrative penalties to violators</li> </ul>
1995	<b>Act 509</b> Concerns Permit Fees	This is another Act amending permit fees to help defray administrative costs.
1995	<b>Act 510</b> Establishes Financial Assurance Requirements	THEN, Financial Assurance Requirements and allowable instruments for Solid Waste Facilities are established, and procedures are put in place.
1995	<b>Act 511</b> Simplifies Disposal Fee Process	PREVIOUSLY, fees were assessed based on past disposals and estimated assumptions for future activities. NOW, fees are calculated and paid based on actual collections and disposals during previous quarter, which greatly simplifies the Quarterly Disposal Fee

		accounting procedures.
1995	<b>Act 547</b> Amends Various SW Sections	Doing a few housekeeping activities, <b>Act 547</b> : <ul style="list-style-type: none"> <li>• Provide civil penalties, not to exceed \$10,000 per day for violations.</li> <li>• Includes the “Third Party” rebuttable presumption for illegal actions.</li> <li>• Instructs municipalities and counties to provide adequate solid waste systems.</li> <li>• Allows inter-local agreements between local governmental entities.</li> <li>• Exempts yard waste from landfill disposal, except “fugitive” amounts.</li> <li>• Instructs RSWMDs to establish composting opportunities.</li> <li>•</li> </ul>
1995	<b>Act 895</b> Authorizes “In-Kind” Contributions	THEN, violators of Environmental projects could seek authorization from <b>ADPCE</b> for payment of penalties with in-kind services or cash contributions
1995	<b>Act 1030</b> Reschedules due date for Regional Needs Assessments	This Act sought to streamline <b>ADPCE</b> ’s evaluation process of RSWMD needs assessment by staggering submittal dates.
1995	<b>Act 1215</b> Amends Waste Tire Program	Augmenting the <b>Waste Tire Program, Act 1215</b> : <ul style="list-style-type: none"> <li>• Establishes a plan requirement from owners and operators.</li> <li>• Eliminates open burning of tires.</li> <li>• Requires permitted waste tire facilities</li> <li>• Establishes and improves various waste tire administrative procedures, processing, and storage and transportation procedures.</li> </ul>
1995	<b>Act 1315</b> Defines more Waste Tire issues	<b>Act 1315</b> pertains to waste tire recycling and clarifies the use and distribution of waste tire grant funds, providing more consumer protection.
1997	<b>Act 374</b> Amends Disposal Fees Collections	<b>Act 374</b> corrects an earlier statute error by eliminating out-of-state transporters from Post-Closure Trust Fund collections, but not from Solid Waste Management and Recycling Fund collections.
1997	<b>Act 398</b> Establishes <b>RMSWD</b> ’s Auditing Procedures	THEN, <b>RMSWD</b> ’s must: <ul style="list-style-type: none"> <li>• Procure an annual financial audit.</li> <li>• Assure that audits are done in accordance with GASB</li> <li>• Receive Board review and approval.</li> <li>• Provide copies to <b>ADPCE</b> and to Legislative Audit for approval.</li> </ul> If caveats of this Act are not met, <b>RMSWD</b> ’s will lose grant funding.
1997	<b>Act 938</b> Creates and Funds the Illegal Dumps Eradication and Corrective Action Program	THEN, by allowing funds to be reassigned from the Post-Closure Trust Fund, for a period of 5 years, beginning 1997, <b>Act 785</b> : <ul style="list-style-type: none"> <li>• Provides \$1 million annual funding for what would become known as the “Pick-Up Arkansas Campaign”.</li> <li>• Allows funding to be earmarked for specific abatement projects or clean up actions and activities.</li> <li>• Furnishes <b>ADPCE</b> with the means to target over 200 specific illegal dumps that were cleaned up and received corrective action.</li> <li>• Equips <b>ADPCE</b> with the funding capabilities of partnering with Georgia-Pacific and other entities for a five-year statewide illegal dump and anti-littering campaign known at the <b>Pick-Up Arkansas Campaign</b>.</li> <li>• During this 5-year campaign, hundreds of public officials and volunteering citizens worked together to help with the education about and the cleaning up of illegal dumps on a local level.</li> </ul>

1997	<b>Act 1151</b> Restricts yard waste burning	While discouraging the open-burning of yard waste by residents, and encouraging proper disposal, <b>Act 1151</b> gives local officials' clarity regarding citations or civil fines, without impairing common private rights of action.
1997	<b>Act 1207</b> Creates the Licensing of Illegal Dump Officers	JOINING the above Act 938, <b>Act 1207</b> impacts the campaign against illegal dumping by including Illegal Dump Control Officers, hired by local governments, into the licensure process established via <b>Regulation 27</b> .
1997	<b>Act 1254</b> Amends the Licensing of Operators of Solid Waste Facilities	<b>Act 1254</b> provides needed housekeeping to the current Operators of Solid Waste Management Facilities Licensure Program by strengthening definitions and including a provisional certificate for some activities.
1997	<b>Act 1292</b> Revises the Waste Tire Program	With <b>Act 1292</b> , several revisions are made to current Waste Tire Program by: <ul style="list-style-type: none"> <li>• Improving definitions</li> <li>• Increasing fees to \$1.75 per auto or truck tire</li> <li>• Allowing <b>RSWMDs</b> to set fees for truck tires</li> <li>• Naming Waste Tire fund distribution procedures</li> <li>• Establishing additional guidelines and methodologies</li> </ul>
1999	<b>Act 341</b> Pertains to <b>RSWMDs'</b> Authority	This Act expands the ability of <b>RSWMDs</b> to seek effective disposal of solid waste, by: <ul style="list-style-type: none"> <li>• Provides means for inter-local agreements between other districts in order to enhance <b>RSWMDs</b> ability to manage solid waste in a more cost-effective manner.</li> </ul>
1999	<b>Act 386</b> Authorizes Law Officers to enforce Litter Control Act	Previously limited to certain individuals, NOW, all Arkansas certified law enforcement officers shall enforce the provisions of the Litter Control Act
1999	<b>Act 428</b> Streamlines <b>RSWMDs'</b> Procedures	Another housekeeping Act directed at <b>RSWMDs'</b> reporting activities, <b>Act 428</b> : <ul style="list-style-type: none"> <li>• Requires recycling grants' reports annually, by April 1.</li> <li>• Allows director to authorize extensions.</li> </ul>
1999	<b>Act 582</b> Specifies Criminal Activities	<b>Act 582</b> defines criminal activities pursuant to Solid Waste as a violator who: <ul style="list-style-type: none"> <li>• Purposely, knowingly or recklessly causes pollution of the waters or air of the state in a manner not otherwise permitted by law.</li> <li>• Thereby creating a substantial likelihood of adversely affecting human health, animal or plant live, or property.</li> </ul>
1999	<b>Act 631</b> Sets requirements for Transfer Stations	THEN, Solid Waste Transfer Stations are made subject to similar permitting requirements as landfills, and must, as such, obtain certificates of needs from <b>RSWMDs</b> and follow established permitting conditions.
1999	<b>Act 758</b> Addresses the Landfill Post-Closure Trust Fund	<b>Act 758</b> performs needed organization and definition to the Landfill Post-Closure Trust Fund to further assure that adequate funds are available when needed to meet the estimated costs for closure and post-closure care of a solid waste management facility.
1999	<b>Act 775</b> Expands Waste Tire Program	THEN, <b>ADPCE</b> was allowed to provide special funds, up to 10% of available grant funds, to provide supplemental aid wherever needed for Waste Tires.
1999	<b>Act 1032</b>	NOW, any grants considered non-exempt discretionary grants must meet the approval of the Legislative Council and the Joint Budget Committee.

	Regards Discretionary Grants	
1999	<b>Act 1164</b> Codifies Name Change	HENCEFORTH: <ul style="list-style-type: none"> <li>The former <b>Arkansas Department of Pollution Control and Ecology (ADPCE)</b> will be known as the <b>Arkansas Department of Environmental Quality (ADEQ)</b>.</li> <li>All pertinent documents will reflect this name change.</li> </ul>
2001	<b>Act 70</b> Amends Recycling Grants Program	This Act has a twofold purpose: <ul style="list-style-type: none"> <li>It changes grants program reporting period</li> <li>And it clarifies regulatory requirements.</li> </ul>
2001	<b>Act 94</b> Sets new Recycling Goals	Statewide recycling goals are now 40% of municipal solid waste recycled by 2005; and 45% by 2010
2001	<b>Act 145</b> Adjusts Litter Law	<b>The Litter Law</b> is amended to reflect: <ul style="list-style-type: none"> <li>\$1000 fine reduced to \$100 per offense</li> <li>Class A misdemeanors for subsequent offense, if occurs within 3 years</li> <li>100 hours of community service added to fine</li> <li>Fines feed city or county general fund of Keep Arkansas Beautiful affiliate</li> <li>In not, fines revert to Keep Arkansas Beautiful for litter prevention and anti-litter education and awareness.</li> </ul>
2001	<b>Act 213</b> Includes Waste Reduction in Loans	<b>Act 213</b> increases loan limits for small business revolving fund administered by <b>ADEQ</b> and includes projects that implement waste reduction practices.
2001	<b>Act 217</b> Adds Requirements for Landfills	THEN, Class 1 and Class 3C Landfills must operate on a weight basis, by: <ul style="list-style-type: none"> <li>Installing and utilizing scales when determining volumes to report on disposal quarterly reports and to calculate disposal fees.</li> <li>Weight all waste in excess of one ton</li> <li>All waste that “received at the landfill” must be included in reports.</li> </ul>
2001	<b>Act 853</b> Helps with Anti-Litter Education	NOW, “Driver’s Instruction Manual” must include a section on the effect and hazards of discarding litter on highways and the penalties for violations.
2001	<b>Act 1069</b> Strengthens Solid Waste Permits	NOW, not only is it illegal to violate any provision of ADPCE Commissions, it is also illegal to violate a solid waste permit issued by <b>ADEQ</b> .
2001	<b>Act 1376</b> Creates the Statewide Solid Waste Management Plan Act	FINALLY, the State would receive a comprehensive <b>Statewide Solid Waste Management Plan</b> , with emphasis given to regional planning.  <b>ADEQ</b> began the difficult task of addressing the complex solid waste needs of the State on a regional basis.  Following over two years of meetings and consultations with numerous stakeholders though out the state, the first <b>Statewide Solid Waste Management Plan</b> was adopted November 1, 2003 (to be revisited in 2013).  A copy can be found at: <a href="http://www.adeq.state.ar.us/solwaste/branch_programs/statewide_sw_mangement_plan.htm">http://www.adeq.state.ar.us/solwaste/branch_programs/statewide_sw_mangement_plan.htm</a> .
2001	<b>Act 1410</b> Establishes a Program for State-	FACING the issues involved around the inevitable avalanche of waste computers and electronics being amassed, <b>ADEQ</b> is charged with: <ul style="list-style-type: none"> <li>Providing a study and solutions for long-term disposal options for</li> </ul>

	Owned Computers and Electronics <b>Act 1410</b> (continued)	electronics, <ul style="list-style-type: none"> <li>Placing a ban on such electronics from landfills by January 1, 2005,</li> <li>Establishing guidelines for a recycling program that will sell surplus state owned equipment to state employees, public schools and other entities through Marketing and Redistribution Office of DF&amp;A.</li> </ul>
2003	<b>Act 215</b> Simplifies RSWMD meetings	NOW, the method for establishing a quorum for a <b>RSWMD</b> meeting may include either a member or a member's proxy to constitute a quorum.
2003	<b>Act 672</b> Relates to Certificates of Need	<b>RSWMDs</b> involve city or county government with the issuance of certificates of need, when the permitted projected capacity is in excess of 30 years.
2003	<b>Act 1027</b> Amends Recycling Fund Act	<b>Act 1027:</b> <ul style="list-style-type: none"> <li>Establishes the use of the most recent federal decennial census of state population in calculating the distribution of recycling funds.</li> <li>Changed reporting procedures and dates.</li> </ul>
2003	<b>Act 1304</b> Revises the Waste Tire Program	<b>Act 1304</b> offers more definitive definitions of the various tire sizes, ups the fees on auto and truck tires to \$2.00, and provides other housekeeping activities to the Waste Tire Program requirements.
2003	<b>Act 1337</b> Modifies scale requirements	REVISITING <b>Act 217 of 2001, Act 1337 of 2003</b> allows an alternative weighing system if approved by <b>ADEQ</b> .
2005	<b>Act 25</b> Ensures use of Post-Closure Funds	<b>Act 25</b> places emphasis on the fact that the Landfill Post-Closure Trust Fund must be used exclusively for Landfill Post-Closure corrective action, and for no other purpose.
2005	<b>Act 75</b> Further empowers Illegal Dump Control Officers	<b>Act 75</b> specifies that: <ul style="list-style-type: none"> <li>While Illegal Dump Control Officers, unless they are also certified law enforcement officers, may not arrest, carry firearms, or take other official law enforcement officers, they may issue citations to persons violating the Illegal Dumps Control Act.</li> <li>Waste removed from an illegal dump, following a court ordered clean up, must be disposed of in a permitted solid waste facility, and a receipt of such proper disposal must be presented to the court.</li> </ul>
2005	<b>Act 646</b> Amends Litter Violation Penalties	NOW, the Litter Control Act imposes a fine between \$100 and \$1000; makes the sentence of community punishment optional and removes the option for jail time.
2005	<b>Act 649</b> Creates Mercury Switch Act	This Act's purpose is to reduce the quantity of mercury in the environment by removing mercury switches from end-of-life vehicles and by creating a collection and recovery program for mercury switches removed from end-of-life vehicles in Arkansas.  Following the guidelines set forth in <b>Act 649, ADEQ</b> established a comprehensive mercury minimization plan and program in conjunction with automobile manufacturers and scrap vehicle dealers throughout the state, providing an incentive paid by the manufacturers to the scrap vehicle dealers to remove and mail in switches.
2005	<b>Act 728</b> Clarifies Licensing Committee	<b>Act 728</b> makes minor revisions to the membership terms and the powers of the solid waste licensing committee members.
2005	<b>Act 944</b>	This Act sets forth additional operational guidelines concerning the disposal by burning of storm debris by county governments in disaster areas, while

	Concerns Storm Debris Burning	allowing 4 burning sites per county, and looks to ADEQ for approval of additional locations and allowances, if needed.
2005	<b>Act 961</b> Changes Waste Tire Permitting	FOCUSING on the processing activities surrounding Waste Tires, <b>Act 961</b> , changes some operational procedures and sets maximum storage amounts.
2005	<b>Act 970</b> Enhances Use of State Computers and Electronics	DOVETAILING earlier legislation about surplus state-owned computers and electronics and all electronic waste in landfills, this Act: <ul style="list-style-type: none"> <li>• Re-sets electronics ban at landfills to January 1, 2008.</li> <li>• Seeks maximum benefit from use of state-agency-owned computers and electronics, by sales and donations to schools and local governments.</li> </ul>
2005	<b>Act 1325</b> Revises Recycling Fund	<b>Act 1325</b> makes minor revisions to the costs eligible for grant assistance from the Solid Waste Management and Recycling Fund.
2005	<b>Act 1553</b> Includes Bonds for RSWMDs in Revenue Bond Act	By including <b>RSWMDs</b> in Revenue Bond Act, <b>Act 1553</b> further empowers <b>RSWMDs</b> .
2005	<b>Act 1801</b> Transfers to Post-Closure Fund	<b>FIXING</b> an earlier unanticipated use of the Landfill Post-Closure Trust Fund by Legislature, this Act returns \$10 million to the Fund.
2005	<b>Act 1822</b> Clarifies Waste Tire Fees	Looking at fees collected on Waste Truck Tires, this Act declares that distribution be based on number of tires disposed in prior year.
2005	<b>Act 1951</b> Addresses Large Truck Tires	This Act provides for the proper processing disposal of large waste truck tires.
2005	<b>Act 1962</b> Repeals Illegal Dump Eradication and Corrective Action Program	FOLLOWING the sunset of the five-year funding program for the Eradication and Corrective Action of Illegal Dumps, the language is repealed.
2007	<b>Act 26</b> Appropriating Electronic Funds	Corrects an error made in earlier appropriation to include funds for the State-Owned Computer and Electronic Recycling Program
2007	<b>Act 209</b> Adjusts <b>RSWMD</b> powers	<b>Act 209</b> makes minor housekeeping repairs to the RSWMD powers and duties, specifically removing the commission from petitioning requirements.
2009	<b>Act 189</b> Exempts KAB Waste from Fees	TO BOOST PARTICIPATION, <b>Act 189</b> helps out the Keep Arkansas Beautiful and the Keep America Beautiful Campaigns by exempting waste collected by these programs from disposal fees at landfills, pursuant to <b>Regulation 11</b> .
2009	<b>Act 639</b> Looks at Auto Auctions	DOVETAILING the Mercury Switch Removal Program administered by ADEQ, the Department, in conjunction with the Arkansas State Police, is now charged with inspections and oversights of auto auctions for the purpose of enforcing ADEQ rules and regulations.
2009	<b>Act 1199</b> Corrects Solid Waste Management Code	<b>Act 1199</b> provides several housekeeping activities to the <b>Solid Waste Management Code</b> , by renaming authorized regional solid waste authorities “management boards”, and other various clarifications of language.
2009	<b>Act 1220</b> Addresses Methane Gas at Landfills	NOW, permitted solid waste management facilities may collect and convert methane gas from landfills for electricity and other alternative sources of energy.
2010	<b>Act 213</b>	Special Language in this Appropriation Bill corrects the funding mechanism

	Adjusts E-Waste Funding <b>Act 213</b> (continued)	for support of the Computer and Electronic Recycling Program, via specially earmarked landfill disposal fees to be deposited into the Solid Waste Management and Recycling Fund.
2011	<b>Act 174</b> Regards County SW Systems	<b>Act 174</b> recognizes that counties face a significant risk of nonpayment when a tenant is registered as an occupant for purposes of payment of solid waste management fees and charges; that an increasing number of tenants are not paying county solid waste management fees and charges; and that this act is necessary because counties are losing an increasing amount of revenue as the result of nonpayment of fees and charges by transient tenants.
2011	<b>Act 209</b> Clarifies <b>RSWMD</b> Fee Powers	Unintended consequences of court action occurred due to wording of Arkansas Code §8-6-714, which curtailed a main source of funding for many programs of solid waste management districts;  So, <b>Act 209</b> Called for the immediate reinstatement of collection of these fees to put budgets back on track to continue programs that provide services necessary for citizens' health and welfare.
2011	<b>Act 222</b> Updated Disclosure Requirements	This Act amends statute concerning disclosure statements for applications regarding environmental law, by removing the requirement of an applicant's social security number.
2011	<b>Act 303</b> Creates the "THE ARKANSAS FINANCIAL TRANSPARENCY ACT"	This Act, which includes <b>ADEQ</b> and <b>RSWMDs</b> as participants, recognizes that: <ul style="list-style-type: none"> <li>• Information technology has evolved to allow unprecedented levels of accessibility to financial information;</li> <li>• Information technology allowing access to expenditure information via Internet exists and is available;</li> <li>• Access to expenditures on an ongoing and regular basis will: <ul style="list-style-type: none"> <li>• Assist citizens and the General Assembly in overseeing operation of state government ; and</li> <li>• Allow for a higher degree of accountability and efficiency in all branches of state government.</li> </ul> </li> </ul> <b>Act 303</b> provides guidance policies and procedures to adopt this Act.
2011	<b>Act 342</b> Clears Up Incinerator Ash Issue	<b>REFERENCING</b> the disposal of incinerator ash, <b>Act 342</b> states a monofill's requirement does not apply if demonstrated to <b>ADEQ</b> that: <ol style="list-style-type: none"> <li>1. Incinerator ash disposed in a Class 1 landfill is received from incinerators that only combust yard waste,</li> <li>2. Or other natural vegetative debris, including vegetative storm debris, tree trimmings, and land-clearing debris.</li> </ol>
2011	<b>Act 742</b> Requires Electronic Filing	NOW, a state agency is required to file reports electronically and to post the reports on its Internet website
2011	<b>Act 744</b> Concerns Waste Tires	<b>Act 744</b> provides definition changes to Arkansas Code §8-9-402, to wit: <ul style="list-style-type: none"> <li>• "Automobile tire" rating, from "E" to "F";</li> <li>• "Truck tire" rims from "20" to "19" inches and load rate from "E" to "F"; includes wide-base or extra-wide single tires;</li> <li>• "Wide-base tire" or "extra-wide single tire" as 455 mm wide, used on a motor vehicle in which front axle load exceeds capacity of a truck tire; and deals with other housekeeping matters.</li> </ul>
2011	<b>Act 819</b> Corrects Funding Language Errors	<b>CORRECTING</b> funding language erroneously included by Act 512 of 2007 and Act 213 of 2010, <b>Act 819</b> exempts, from waste disposal fees used to fund Computer and Electronic Waste Grants Program: <ul style="list-style-type: none"> <li>• A solid waste transporter, as defined in §8-6-603;</li> </ul>

		<ul style="list-style-type: none"> <li>• And a landfill permittee that is a private industry, operating the landfill solely for disposal of wastes generated by the industry.</li> </ul>
2011	<p><b>Act 884</b> Concerns <b>RSWMB</b> Membership</p>	<p>PREVIOUSLY, membership composition of regional solid waste management districts, to consisted of representatives from:</p> <ul style="list-style-type: none"> <li>• (A) Counties within district;</li> <li>• (B) First class cities;</li> <li>• (C) All cities 2,000 population, and;</li> <li>• (D) Largest city of each county within district</li> </ul> <p><b>Act 884</b> adds</p> <ul style="list-style-type: none"> <li>• (E) Any city position on a <b>RSWMB</b> on or after January 1, 2010</li> </ul>
2011	<p><b>Act 1153</b> Regards Household Hazardous Waste</p>	<p>Clarifying proper management of household hazardous Waste, <b>Act 1153</b> adds definitions to statute for:</p> <ul style="list-style-type: none"> <li>• “Hazardous waste”;</li> <li>• “Household”;</li> <li>• “Household hazardous waste”;</li> <li>• “Household hazardous waste storage or processing center”</li> <li>• “Pesticide”.</li> </ul> <p>Also, <b>Act 1153</b> adds permitting requirements for household hazardous waste storage or processing centers; and deals with other housekeeping matters.</p>
2011	<p><b>Act 1159</b> Clarifies Fee Authority</p>	<p>Administrative fees and penalties are addressed in Arkansas Code §25-15-105, to wit:</p> <ul style="list-style-type: none"> <li>• In this section "agency" means the same as defined at §25-15-202.</li> <li>• An agency shall not assess a fee or penalty without specific statutory authority to: <ul style="list-style-type: none"> <li>• Assess a certain type and amount of fee or penalty; or</li> <li>• Impose a fee or penalty in general.</li> </ul> </li> </ul>



**ARKANSAS POLLUTION CONTROL & ECOLOGY COMMISSION**  
**PROMULGATES SOLID WASTE REGULATIONS TO ADMINISTER LEGISLATIVE INITIATIVES**  
Copies Located at: <http://www.adeq.state.ar.us/regs/default.htm>

<p><b>Regulation 22: The Solid Waste Management Rules</b></p> <p>The latest version of <b>Regulation 22</b> became effective March 28, 2007.</p>	<p>The purpose of <b>Regulation 22</b> is to establish standards and criteria for location restrictions; permit application procedures; design, operations, and maintenance; financial assurance; ground water monitoring and corrective action; and closure and post-closure care for all solid waste disposal and management facilities to ensure the protection of human health and the environment.</p> <p><b>Perhaps the most encompassing and powerful action of 1995, was:</b></p> <ul style="list-style-type: none"> <li>• The adoption of a rewritten version of Regulation 22: The Solid Waste Management Regulation.</li> <li>• The incorporation of Federal Subtitle D Requirements placed upon our municipal solid waste landfills, and triggered subsequent dramatic State legislation, thereby reducing Class 1 municipal solid waste landfills.</li> </ul> <p><b>Thus, providing a new direction in solid waste management in Arkansas.</b></p>
<p><b>Regulation 11: Landfill Disposal Fees; Solid Waste Management and Recycling Grants Program; Landfill Post-Closure Trust Fund</b></p> <p>The latest version became effective December 18, 2008.</p>	<p><b>ADPCE</b>, through <b>Regulation 11</b> administers the Solid Waste Disposal Fees; Landfill Post-Closure Trust Fund; and Recycling Grants Program. <b>Regulation 11</b> was originally promulgated in 1991, pursuant to <b>Act 934 of 1989</b> with subsequent versions endorsed as required. Disposal Fees from permitted landfills began October 1989.</p>
<p><b>Regulation 14: The Waste Tire Program</b></p> <p>The latest version became effective February 23, 2006.</p>	<p>The <b>Regulation for the Administration Procedures for the Waste Tire Program</b>, including provisions for the Waste Tire Grants Program, was originally promulgated in 1992.</p>
<p><b>Regulation 16: Waste Reduction, Reuse, or Recycling Tax Credits.</b></p> <p>The latest version became effective August 15, 2004.</p>	<p>This regulation provides for an income tax credit, as well as recapture of the credit in certain instances, as an incentive for taxpayers to engage in waste reduction, reuse, or recycling activities including the use of post-consumer recyclables generated in Arkansas.</p>
<p><b>Regulation 24: The Regulation for Regional Solid Waste Management Districts (abolished 1995)</b></p>	<p>Originally promulgated as a result of <b>Act 870 of 1989</b> and <b>Act 752 of 1991</b>, <b>Regulation 24</b> was abolished in its entirety in 1995. The relevant language regulating <b>RSWMDs</b> was incorporated into <b>Regulation 22</b>.</p>
<p><b>Regulation 27: Licensing of Operators of Solid Waste Management Facilities and Illegal Dumps Control Officers</b></p> <p>The latest version became effective April 13, 2006.</p>	<p>The <b>Regulation for the Licensure of Sanitary Landfill Operators</b> was originally promulgated in 1992, with subsequent revisions. <b>Illegal Dumps Control Officers</b> were added to the Licensure Program in 1998.</p>
<p><b>Regulation 28: County Recycling Programs</b></p> <p>The latest version became effective December 23, 2004</p>	<p>Regulation 28 contains the rules and procedures for the establishment or designation of adequate recyclable materials collection centers or systems in counties in the State of Arkansas.</p>