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Solid and Hazardous Waste/Recycling Developments 2017-2018: Walter Wright (Mitchell Williams) Arkansas Environmental Federation Regulated Waste Seminar Presentation

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I undertook a presentation at the Arkansas Environmental Federation Regulated Waste Seminar titled:

Solid and Hazardous Waste/Recycling Developments: 2017-2018 ("Presentation")

The Presentation addressed federal and state hazardous and solid waste/recycling:

- Litigation
- Rulings
- Regulations
- Policies

The developments reviewed were limited to those occurring over the last 12 months.

The issues addressed included:

- Off-site Waste and Recovery Operations/NESHAP: U.S. Environmental Protection Agency ("EPA") Proposed Revisions (See 82 Fed. Reg. 36713)
- Treated Railroad Ties/Non-Hazardous Secondary Material Rule (Addressing treated railroad ties that are processed creosote-porate, copper naphthenate, and copper naphthenate-borate)
- Electroplating Sludge/Resource Conservation and Recovery Act ("RCRA") – Austin, Texas Manufacturing Facility Delisting Petition (See 82 Fed. Reg. 32519)
- Landfill Emission Rule – Seven States Notice of Intent to Sue EPA for Alleged Failure to Enforce
- Coal Ash/Preemption Appellate Court Decision Addressing Challenge to Municipal Regulation (See AES Puerto Rico, L.P. v. Trujillo-Panisse, 857 F.3d 101 (2017))
- CERCLA/Superfund – EPA Announcement of 21 Sites Targeted for "Immediate/Intense Action"
- Superfund/Applicable, or Relevant and Appropriate Requirements: Association of State and Territorial Solid Waste Management Officials Policy Paper
- CERCLA/Superfund/Hardrock Mining: EPA Announcement Declining to Issue Financial Responsibility Requirements (See 83 Fed. Reg. 7556)
- Houston Astros Minute Maid Park: Home of the World Series Champions (and a Former Brownfield)
- EPA Interpretive Letters Addressing RCRA Interpretations/Guidance
- Off-Spec Used Oil

- Status of Unused Cigarettes and Cigars
- Status of Scrap Tantalum Anodes, Wire, Pellets, Pins, and Powders
- Environmental Protection Control Standards for Imports of Solid Wastes as Raw Materials: China's Issuance of Final Standards
- Hazardous Waste Enforcement: Manufacturer/Solvent Blender
- Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Written Interpretations
- Security Plan Requirements
- Use of Portable Tanks
- Use of Multiple Compartment Cargo Tanks
- Alcoholic Beverages
- Who is an Offeror?
- Agricultural Shipments
- Lab Packs
- Aluminum By-Products/Non-Specification Bulk Packaging
- Rail Tank Closures
- What is a container?
- Environmental Criminal Enforcement/RCRA: U.S. Department of Justice Announces Guilty Plea of Metal Plating Government Contractor
- Environmental Criminal Enforcement: Yazoo City Convenience Store Operator Pleads Guilty to Unpermitted Discharge into City Sewer
- Environmental Criminal Enforcement: Sentencing of Saltwater Disposal Well Operators for Alleged Safe Drinking Water Act Violations
- Hazardous Waste Enforcement: State of California and Home Depot U.S.A., Inc., Stipulation for Entry of Final Judgment/Permanent Injunction
- Hazardous Waste Enforcement: EPA and Texas Oncology, P.A. Enter into Consent Agreement
- Release Reporting/CERCLA Enforcement: EPA and Tennessee Valley Authority Enter into Consent Agreement
- Voluntary Disclosure/Multi-Media Enforcement: EPA and Clean Energy Production Company Enter into Consent Agreement
- Landfill Closure Costs: U.S. Tax Court Addresses Section 468 Internal Revenue Code Deduction Issue
- RCRA Citizen Suit: Federal Court (Oklahoma) Addresses Standing Issue
- Wisconsin Legislation Exempting Pyrolysis/Gasification from Solid Waste Management Facility Requirements: Assembly Bill 789
- Landfill Leachate: Vetoed North Carolina Bill (576()) Would Have Approved Aerosolization
- Hazardous Substances/Bodily Injury Claim: New York Court Addresses Potential Liability of Engineering Inspection Subcontractor
- Arkansas Pollution Control and Ecology Commission Administrative Law Judge Recommended Decision: Alleged Cotton Plant, Arkansas Facility Solid Waste Violations
- Arkansas Medical Marijuana Cultivation Program Development: Environmental/Safety Issues

[A copy of the slides can be downloaded here.](#)