

# Solid Waste/Recycling Judicial/Regulatory Update: 2022 Annual Arkansas Solid Waste Conference Presentation - Rogers, Arkansas



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I undertook a presentation on October 12th at the 2022 Annual Solid Waste Conference in Rogers, Arkansas, titled:

*Solid Waste/Recycling Judicial/Regulatory Update ("Presentation")*

The *Presentation* addressed a number of issues involving solid waste management and recycling related to:

- Legislation
- Regulations
- Judicial Decisions
- Policy Guidance
- Transactional Issues

Hazardous waste related issues, in addition to solid waste, were also addressed.

The topics addressed include:

- Arkansas Medical Marijuana Rules/Waste Issues (relevance to solid waste/recycling industry)
- Grow facilities' waste generated
- Arkansas ABC rules applicable to cultivation facilities and dispensaries
- Employer/employee issues
- Particular concerns of environmental health and safety/solid waste/recycling facility professionals
- Inflation Reduction Act (potential relevance to the solid waste industry)
- Methane emission reduction activities
- Expanded tax credits for biogas projects
- Clean hydrogen credits to produce/expand use of renewable natural gas
- Alternate fuel tax credit/credit for landfill gas construction
- Electric vehicle credits/grants
- Federal Recycling Legislation (Recycling and Composting Accountability Act sponsored by Arkansas Senator John Boozman)
- Requiring that EPA collect and publish data on recycling and composting rates

- Requiring recycling rates and recycling practices to be publicly available
- U.S. Environmental Protection Agency (“EPA”) (Public Notice for RCRA Hazardous Waste Permitting/Other Actions and Possible Modernization)
- EPA RCRA Guidance Compendium (2021-2022 Editions)
- RCRA Post-Closure Developments
- PFAS/PFOS Developments (Potential applicability to solid waste management facilities)
- RCRA Manufactured Process Unit Exemption (U.S. EPA Environmental Appeals Board Decision interpretation)
- Municipal Solid Waste Landfills/Emission Factors (Environmental organization challenging EPA to update)
- Environmental Criminal Enforcement/Recent Examples
- Hazardous waste storage/RCRA multi-party settlement involving Fort Smith, Arkansas, warehouse
- Cannabis company accused of illegally dumping hazardous waste (California)
- Environmental Justice Developments
- Tank Cleaning/Confined Space Dangers (OSHA announces Regional Emphasis Program)
- Cal-Recycle Bottle/Can Redemption Program (Six individuals charged for alleged Arizona to California recycling fraud scheme)
- Flow Control/Refuse-Derived Fuel (Minnesota judicial decision)
- Flow Control/Municipal Ordinance/Shreveport, Louisiana (Judicial action)
- Construction Debris/Waste Hauling (Texas Supreme Court decision addressing the validity of municipalities imposition of gross revenue license fee)
- Soil Importation/Gravel Quarry (Massachusetts Appellate Court addressing zoning issues)
- Waste Energy Facilities (National update)
- Power Section Combustion Byproducts Beneficial Use Rate (U.S. Energy Information Administration report)
- Oil Contamination/Remediation (New York court considers potential liability of insurance company/environmental consultant)
- Aluminum Recycling Plant/Little Rock, Arkansas (Alter Trading/Toyota joint venture)
- Arkansas Recycling Tax Credit Reminders

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