Arkansas Hazardous Waste Management Regulations: U.S. Environmental Protection Agency Proposes Adoption of State Program Revisions

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The United States Environmental Protection Agency ("EPA") published in a June 11th Federal Register Notice a proposal to approve the Arkansas Department of Energy and Environment – Division of Environmental Quality ("DEQ") changes to its Resource Conservation and Recovery Act ("RCRA") hazardous waste program. See 86 Fed. Reg. 31233.

DEQ had applied to EPA for final authorization of such changes to its program.

Arkansas received delegation and authorization to operate the federal RCRA hazardous waste program in 1985. States which receive final authorization from EPA under Section 3006(b) of RCRA are required to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the federal program. If the federal RCRA regulations change, states are required to in turn modify their programs. They then are required to seek EPA authorization of such changes.

DEQ had submitted on March 2, 2020, proposed program revisions seeking authorization of changes to its hazardous waste program that correspond to federal rules that were promulgated between July 1, 2014, and June 30, 2018. EPA describes these as RCRA Clusters XXIV through and RCRA Cluster XXVI.

EPA states in the June 11th Federal Register Notice that DEQ's submission meets all statutory and regulatory requirements established by RCRA. As a result, it proposes to grant the State of Arkansas final authorization to operate its hazardous waste program with the incorporated changes described in the submission.

A copy of the Federal Register Notice can be downloaded here.