

Solid and Hazardous Waste/Recycling Administrative/Judicial Developments: Arkansas Environmental Federation Land Presentation



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I undertook a presentation on June 15th at the Arkansas Environmental Federation Land Seminar titled:

Solid and Hazardous Waste/Recycling Administrative/Judicial Developments (“Presentation”)

The Presentation addressed a variety of federal and state decisions, cases, rulings, regulations, policies, etc., either directly or indirectly related to solid or hazardous waste (including recycling) that have arisen over the last 12 months.

The topics addressed included:

- Arkansas Medical Marijuana Rules/Waste Issues
- Modernizing Public Notice for RCRA Hazardous Waste Permitting/Other Actions
- Non-Hazardous Secondary Material Standard: U.S. Environmental Protection Agency (“EPA”) Response to American Forest & Paper Association Petition
- Pyrolysis/Gasification Units – EPA Advance Notice of Proposed Rulemaking
- RCRA Listed Hazardous Waste U019/U20: EPA Proposal to Grant Delisting Petition for Kalama, Washington, Facility
- EPA RCRA Guidance Compendium
- Regulatory Options for addressing the temporary backlog of containerized hazardous waste needing incineration (addressing generator options facing accumulation timing issues)
- Alcohol-Based Sanitizers: U.S. Environmental Protection Agency Addresses Options for Repurposing/Recycling (pandemic related question addressing oversupply of sanitizers and potential disposal options for a bulk commercial chemical product)
- Applicability of RCRA Organic Emission Standards to Equipment and/or Closure Devices Subpart BB v. Subpart CC
- Land Disposal Restrictions – RCRA Permits/ Waste analysis Plan/Inspection Sampling
- Frequently asked questions about Large Quantity Generator Quick Reference Guides
- Underground Storage Tank Releases: EPA Announces the Federal Agency and States Have Conducted More than 500,000 Cleanups
- Superfund/Initial List of Taxable Substances: Internal Revenue Service Issues Notice 2021-66
- PFAS/PFOS: EPA Announces Comprehensive Strategy
- Title VI Civil Rights/Environmental Justice: Earthjustice January 20th Letter to EPA Alleging Violations by Louisiana Department of Environmental Quality/Department of Health

- Environmental Justice: EPA Announces Acceptance of Administrative Complaint Addressing North Carolina Department of Environmental Title VI Violation
- Environmental Criminal Enforcement: Public Employees for Environmental Responsibility Analysis Addresses Referrals/Prosecution/Conviction Trends
- Environmental Criminal Enforcement: Recent Examples
- Environmental Civil Enforcement: Recent RCRA Examples
- Hazardous Waste Storage/RCRA: EPA Announces Multi-Party Settlement Involving Fort Smith, Arkansas Warehouse
- Superfund/CERCLA Release Reporting Enforcement
- RCRA Cost Recovery Action/Underground Storage Tank: Federal Court Addresses Scope of the Term Owner
- Orphaned Oil and Gas Wells/Infrastructure Law: U.S. Dept. of Interior Announces Availability of \$1.15 Billion in State Funding
- Tank Cleaning/Confined Space Dangers: OSHA Announces Regional Emphasis Program for Region 6 (Arkansas, Louisiana, Texas, Oklahoma)
- White County, Arkansas: Arkansas Department of Energy and Environment - Division of Environmental Quality and Ampler Development LLC Enter into Elective Site Cleanup Agreement
- Oil Contamination/Remediation: New York Court Considers Potential Liability of Insurance Company/Environmental Consultant
- PFOA/PFOS Litigation - Insurance Coverage: New York Appellate Court Addresses Whether Policies Provide a Duty to Defend
- Wastewater Pond Closure/Insurance Coverage: Federal Appellate Court Addresses Claim Notice Issue
- Nuisance/RICO: Landowners File U.S. District Court Action Against Oklahoma Licensed Marijuana Cultivation Facility
- Flow Control/Municipal Ordinance: Shreveport, Louisiana, Judicial Action Filed Alleging Waste Haulers' Failure to Use Designated Landfill
- Construction Debris/Waste Hauling: Texas Supreme Court Addresses Validity of Municipality's Imposition of Gross Revenue License Fee
- Power Sector Combustion Byproducts: U.S. Energy Information Administration Report Notes Beneficial Use Exceeded Material Disposal in 2020
- CalRecycle Bottle/Can Redemption Program: Six Individuals Charged for Alleged Arizona-to-California Recycling Fraud Scheme
- Arkansas Recycling Tax Credits: Reminder

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