Solid/Hazardous Waste/Recycling/Administrative/Judicial Developments 2024-2025: April 16th Arkansas Environmental Federation Land Seminar Presentation

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

04/29/2025

I undertook a presentation at the April 16th Arkansas Environmental Federation Land Seminar titled:

Solid and Hazardous Waste/Recycling Administrative/Judicial Developments: 2024-2025 ("Presentation").

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

The Presentation addressed the following topics:

- **U.S. Environmental Protection Agency Deregulatory Agenda: Administrator Zeldin Announces 31 Deregulatory Actions (hurdles?)**
- **Implementing National Enforcement and Compliance Initiatives Consistently with Executive Orders and Agency Priorities: U.S. EPA Office of Enforcement and Compliance Assurance Memorandum**
- **Release Reporting/CERCLA Enforcement: U.S. Environmental Protection Agency and Xenia, Ohio Food Facility Enter into Consent Agreement**
- **Natural Resources Damages/Oil Pollution Act Enforcement: United States/Arkansas Game and Fish Commission/Arkansas Department of Energy and Environment and ExxonMobil Pipeline Company, LLC Enter into Consent Decree**
- **Fort Smith Property/Cold Storage Warehouse: Arkansas Department of Energy and Environment - Division of Environmental Quality and Arkansas Refrigerated Services, Inc. Enter into Elective Site Cleanup Agreement**
- **Proposed Prospective Purchaser Agreement: U.S. Environmental Protection Agency Public Notices Settlement Addressing Joliet, Illinois Site**
- **Hazardous Waste Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Magnolia Fuel Cell/Coated Fabric Product Manufacturing Facility Enter into Consent Administrative Order**
- **Solid Waste Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and Little River County Transfer Facility Enter into Consent Administrative Order**

- **Solid Waste Enforcement: Arkansas Department of Energy and Environment - Division of Environmental Quality and City of Camden Enter into Consent Administrative Order**
- **Storage Tank Enforcement: Arkansas Department of Energy & Environment - Division of Environmental Quality and Pulaski County Underground Storage Tank Owner Enter into Consent Administrative Order**
- **Used Oil Enforcement: Alabama Department of Environmental Management and Patterson, Louisiana Headquartered Waste Transportation Company Enter into Consent Order**
- **Waste Tire Enforcement: Mississippi Commission on Environmental Quality and Meridian Property Owner Enter into Agreed Consent Order**
- **OSHA Enforcement: Franksville, Wisconsin Disposal/Recycling Company Proposed Penalties for Alleged Violations**
- **Cadmium/Lead/OSHA Enforcement: Janesville, Wisconsin Recycling Facility Cited for Alleged Violations**
- **Criminal Enforcement/Lead Service Line Replacement: U.S. Department of Justice Charges Two New Jersey Individuals with Conspiracy to Commit Wire Fraud**
- **Environmental Criminal Enforcement/Clean Water Act: United States District Court (District of Connecticut) Sentences Water Main Cleaning Company for Alleged Violation**
- **Criminal Enforcement/Clean Water Act: U.S. Department of Justice Press Release Announces Six-Count Indictment Charging Phillips 66 Company**
- **Environmental Criminal Enforcement/Wetlands: U.S. Department of Justice Announces Sentencing for Virginia Company and Owner**
- **Environmental Criminal Enforcement: Michigan Attorney General Announces Arrest of an Individual for Alleged Activities Associated with 2022 Flint River Oil Discharge**
- **RCRA/11th Amendment: Were State Officials Subject to Alleged Constitutional Violations?**
- **Citizen Suit Action/RCRA: Conservation Law Foundation Alleges Violations by Natural Gas Pipeline System**
- **PFAS/Common Law Action: City of Savannah, Georgia Files Judicial Action Against Various Companies in Superior Court of Chatham County Alleging Damage to Source Water Supply**
- **PFAS/CERCLA: Associated General Contractors of America, Inc./National Waste & Recycling Association/Chamber File Judicial Challenge to Hazardous Substance Designation**
- **Citizen Suit Action/Toxic Substances Control Act: Public Employees for Environmental Responsibility Notice of Intent to Sue U.S. Environmental Protection Agency Addressing Fluorinating Plastic Containers**
- **Citizen Suit Action/Toxic Substances Control Act: Public Employees for Environmental Responsibility Notice of Intent to Sue U.S. Environmental Protection Agency Addressing Fluorinating Plastic Containers**
- **Lead Sheath Telecom Cables/RCRA: California Sportfishing Protection Alliance and Pacific Bell Telephone Company Enter into an Settlement Requiring Removal**
- **CERCLA/Superfund: Federal Appellate Court Considers Whether Imposition of Arranger Liability Requires Knowledge Waste is Hazardous**
- **Trichloroethylene Toxic Substances Control Act Rule: 124 Environmental Organizations Transmit Letter to U.S. Environmental Protection Agency Seeking Reinstatement**
- **Standpipe Lead Based Paint Abatement/Sandblasting: New York Supreme Court, Appellate Division Addresses Issues Arising Out of Alleged Breach of Contract for PCB Contamination**
- **Strategies to Eliminate Waste and Accelerate Recycling Development Act: U.S. Senator John Boozman (Arkansas) Sponsored Bipartisan Legislation Passes Environment and Public Works Committee**
- **Water Systems PFAS Liability Protection Act: Legislation Shielding Water Utilities Introduced by Representatives Gluesenkamp Perez (D - WA) and Maloy (R - UT)**

- **RCRA Guidance Letter/Military Munitions Rule: U.S. Environmental Protection Agency Addresses Manifest Exemption for Geographically Contiguous Properties Under Control of the Same Person**
- **PCB Bulk Product Waste Storage Timeframes: U.S. Environmental Protection Agency Response to Region 1 Request for Approval of Extensions**
- **Toxics Release Inventory: U.S. Environmental Protection Agency Adds Nine Additional PFAS**
- **Universal Waste Rule/Solar Panel and Lithium Battery Universal Waste Proposed Rule: Association of State and Territorial Solid Waste Management Officials Submit Comments to U.S. Environmental Protection Agency**
- **Municipal Solid Waste Landfills/Emissions: U.S. Environmental Protection Agency Opens Non-Regulatory Public Docket**
- **RCRA Section 3007 Survey/Drum Reconditioning Facilities: U.S. Environmental Protection Agency Public Notices Information Collection Request**
- **Waste Analysis and Strategies for Transportation End-uses: U.S. Department of Energy Announces Competitive Grant Award for City of Berryville, Arkansas Project**
- **Decommissioned Wind Turbine Blades/Wyoming Department of Environmental Quality: U.S. Office of Surface Mining Reclamation and Enforcement Approves State's Use as Surface Coal Mining Backfill**
- **2024 Biennial ERIS Survey on State Environmental Agency Research Needs: Environmental Research Institute of the States Report**
- **2025 Alabama Legislature: Legislation Introduced That Provides Recycling Credits for Productive Use of Recyclable Materials**
- **Cannabis Vape Cartridges: Michigan Considering Proposed Rule**
- **Analysis of MSW Landfill Tipping Fees/2023: Environmental Research & Education Foundation Report**
- **Environmental Assessment/Service Contract: Federal Court Addresses Scope of Indemnity for Alleged Negligence**
- **Maximizing Opportunities for Redeveloping Brownfield Sites/Assessing the Potential for New American Innovation: U.S. House of Representatives Committee on Energy & Commerce Hearing**
- **Treatment, Storage, and Disposal Facilities/Climate Risks: U.S. Government Accountability Office Report Recommending U.S. Environmental Protection Agency Actions**
- **Verification of Land-Use Controls at RCRA Corrective Action Facilities: U.S. EPA Office of Inspector General Report**
- **Transportation/Hazardous Materials: Pipeline and Hazardous Materials Safety Administration Letter Addressing Packaging Residue**

A copy of the slides from the Presentation can be downloaded here.