2025 Arkansas Solid Waste Association of North America Annual Meeting/Update: Solid and Hazardous Waste Recycling Administrative/Judicial Developments



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I undertook a presentation at the 2025, Arkansas Solid Waste Association of North America ("SWANA") Annual Meeting/Update in Conway, Arkansas titled:

Solid and Hazardous Waste Recycling Administrative/Judicial Developments ("Presentation").

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

The Presentation addressed the following topics:

- **EPA Administrator Zeldin announced 31 actions that the federal agency will be undertaking that are described as being deregulatory in nature.**
- **Hurdles?**
- **Implementing National Enforcement and Compliance Initiatives Consistently with Executive Orders and Agency Priorities: U.S. EPA Office of Enforcement and Compliance Assurance Memorandum**
- **OSHA Enforcement: Franksville, Wisconsin Disposal/Recycling Company Proposed Penalties for Alleged Violations**
- **Cadmium/Lead/OSHA Enforcement: Janesville, Wisconsin Recycling Facility Cited for Alleged Violations**
- **PFAS/CERCLA: Associated General Contractors of America, Inc./National Waste & Recycling Association/Chamber File Judicial Challenge to Hazardous Substance Designation**
- **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**
- **Strategies to Eliminate Waste and Accelerate Recycling Development Act: U.S. Senator John Boozman (Arkansas) Sponsored Bipartisan Legislation Passes Environment and Public Works Committee**
- **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**
- **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**
- **Statewide Solid Waste Management Plan: Arkansas Department of Energy and Environment - Division of Environmental Quality Scheduling Stakeholder Meetings**
- **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**
- **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/CERCLA: Recycled Materials Association (Formerly Institute of Scrap Recycling Industries, Inc.) Files Judicial Challenge to U.S. Environmental Protection Agency 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**
- **Lead Sheath Telecom Cables/RCRA: California Sportfishing Protection Alliance and Pacific Bell Telephone Company Enter into a 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**
- **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**
- **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**
- **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 Presentation can be found here.