

POLICIES, PROCEDURES AND CRITERIA
FOR
REGIONAL SOLID WASTE MANAGEMENT AND RECYCLING AND RECYCLING
FUND
AND
LEVYING DISTRICT-WIDE LANDFILL TIPPING FEES

**Pulaski County Regional
Solid Waste Management District**

Rule 1. Description

- * Arkansas Code Ann. 8-6-704, (Boards-Powers and Duties) Act 752 of 1991 establishes a system of regional solid waste management and planning in Arkansas, forming regional solid waste management districts and describing their powers, duties and responsibility.

The regional solid waste management districts are responsible for planning, studying and evaluating the solid waste management needs of their areas and publishing regional needs assessments and regional solid waste management plans which then guide decisions for the solid waste management systems development and operation.

In order to carry out these duties and powers, the Board must be able to pay for the overhead, maintenance and operation of the office, to pay for the services of the contracts into which it enters, to purchase the insurance, and to pay the professionals.

Rule 2. Authorization

- * Arkansas Code Ann. 8-6-710. Solid Waste Management Responsibility

The Board is responsible for the solid waste management of the District, which by necessity include the collection, disposal, treatment and general management of the District's whole system of operations.

- * Arkansas Code Ann. 8-6-711. Soiled Waste Management System

The Board is authorized to contract concerning facilities of any nature necessary or desirable for the control, collection and disposal, treatment of other handling of solid waste.

- * Arkansas Code Ann. 8-6-714. Rents, Fees, and Charges-Collection by Utilities

The Board may fix, charge and collect rents, fees and charges for the disposal, treatment, or other handling of solid waste by the District.

Notwithstanding that the District does not itself own and operate the landfills nor the fleet of collection vehicles, the management of the total system of waste disposal and treatment is included in the authority of the Board to raise revenues.

- * Arkansas Code Ann. 8-6-721(f). Licensing Haulers of Solid Waste (licensing fees)

The Board may set a reasonable licensing fee for the haulers of solid waste; the Board may use these fees for general overhead, maintenance and operation of the District, or other aspects of the District's solid waste management system.

Rule 3. Definitions

- a. "Board" means the Pulaski County Regional Solid Waste Management District Board of Directors.
- b. "District" means the Pulaski County Regional Solid Waste Management District.
- c. "District Solid Waste Management and Recycling Fund" means the combined proceeds of the solid waste volume based tipping fee levied by the District.
- d. "Materials in the recycling, or composting, process" means ferrous and nonferrous metals diverted or removed from the solid waste stream so that they may be reused, as long as such materials are processed or handled using reasonably available processing equipment and control technology taking cost into account, and a substantial amount of the materials are consistently utilized to manufacture a product which otherwise would have been produced using virgin material.
- e. "Permitted landfill facilities" means a permitted landfill under the Arkansas Solid Waste Management Act, 8-6-201 et seq.
- f. "Solid Waste" means all putrescible and nonputrescible waste in solid, semisolid, or liquid form, including, but not limited to, yard or food waste, waste glass, waste metals, waste plastics, waste paper, waste paperboard, and all other solid and semisolid wastes resulting from industrial, commercial, agricultural, community, and residential activities, but does not include "materials in the recycling, or composting, process".

Rule 4. Purpose and Applicability

- a. The Board hereby establishes a District Solid Waste Management and Recycling Fund for the Purpose of financing its operations and activities.
- b. The Board hereby levies a solid waste volume-based tipping fees of \$.05 per cubic yard on uncompacted solid waste and \$.10 per cubic yard on compacted solid waste disposed of at all permitted landfill facilities within the District's boundaries.

- c. The board hereby establishes administrative procedures for the management of the District Solid Waste Management and Recycling Fund and the collection of tipping fees.

Rule 5. Scope

- a. The District Solid Waste Management and Recycling Fund shall be used exclusively for financing the District's operations and activities as described in the District's annual operating budget.
- b. The volume based tipping fees of \$.05 per cubic yard on uncompacted solid waste and \$.10 per cubic yard on compacted solid waste disposed of at the permitted landfill facilities within the District's boundaries.

Rule 6. Administrative Procedures

- a. Landfill owner/operator shall remit checks to the District each quarter, with the amounts based on actual volumes of solid waste disposed of and as reported to PC&E on its quarterly reporting form. A copy of the completed form shall accompany quarterly payments to the District.

Rule 7. Enforcement and Penalties

- * Arkansas Code Ann. 8-6-722 (penalties) Any person who violates this "Policies, Procedures and Criteria for Regional Solid Waste Management and Recycling Fund" regulation of the Board shall be deemed guilty of a misdemeanor. Upon conviction, the persons shall be subject to imprisonment of not more than thirty (30) days or a fine of not more than one thousand dollars (\$1,000), or both imprisonment and fine.