

## **Title 8. Environmental Law**

### **Chapter XIV. Southeast Arkansas Regional Solid Waste Management District**

#### **Subchapter A. Generally**

#### **Part 294. Licensing Haulers of Solid Waste**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"§10.01 Authority

Ark. Code Ann. § 8-6-721 and Commission Regulation 22, charges regional solid waste management boards with the responsibility of licensing all haulers of solid waste within the District."

#### **Subpart 1. Generally**

##### **8 CAR § 294-101. Definitions.**

As used in this part:

(1) "Exempt hauler" means haulers exempt from licensing under this part and includes:

(A) Individuals hauling only their own household waste to a permitted facility;

(B) The transport of solid waste from an industrial facility to its own Class 3N landfill; or

(C) The Southeast Arkansas Regional Solid Waste Management District engaged in hauling solid waste within the Southeast Arkansas Regional Solid Waste Management District;

(2) "Hauler" means a person engaged in the:

(A) Collection of solid waste in the Southeast Arkansas Regional Solid Waste Management District; or

(B) Transportation of solid waste for disposal or storage in the Southeast Arkansas Regional Solid Waste Management District;

(3) "Licensed hauler" means a nonexempt hauler who has complied with all licensing standards set forth in 8 CAR § 294-105 and paid the fees required by this part;

(4) "New hauler" means a person who has not acted as a nonexempt hauler in the Southeast Arkansas Regional Solid Waste Management District within the twenty-four (24) months prior to applying for a hauler license;

(5) "Nonexempt hauler" means all haulers except for exempt haulers; and

(6) "Solid waste" means "solid waste" as defined in Arkansas Code § 8-6-702(13).

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 294-102. Effective date.**

The requirements and fees imposed by this part are mandatory and are effective on and after February 1, 2014.

**Authority.** Arkansas Code §§ 8-6-704, 8-6-714.

**8 CAR § 294-103. License requirement.**

(a) All nonexempt haulers must obtain a hauler license.

(b) A hauler license will only be issued to:

- (1) A person;
- (2) A partnership;
- (3) A corporation;
- (4) An association;
- (5) The State of Arkansas;
- (6) A political subdivision of the state;
- (7) An improvement district;
- (8) A sanitation authority; or

(9) Another regional solid waste management district.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 294-104. Hauler standards.**

All haulers shall comply with the standards for haulers set forth in this part and in Arkansas Pollution Control and Ecology Commission, 22.202(g), except that exempt haulers shall not be required to comply with the licensing standards set forth in 8 CAR § 294-105.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 294-105. Licensing standards.**

All nonexempt haulers shall:

(1) Hold the appropriate driver's license as defined by Arkansas state law; and  
(2) Annually register all collection vehicles with the Southeast Arkansas Regional Solid Waste Management District provided on or attached to a form to be provided by the district:

(A) Name, address, and telephone number of the registrant;

(B) Description of vehicle to be registered including:

(i) Make, model, and year of vehicle;

(ii) Vehicle ID number;

(iii) License plate number; and

(iv) Name of vehicle owner;

(C) Description of the nature of wastes and size of loads; and

(D) Proof of contractor/vehicle liability insurance with minimum coverage required by state law.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 294-106. Reporting requirement.**

(a) All licensed haulers shall submit to the Southeast Arkansas Regional Solid Waste Management District on or before January 15, April 15, July 15, and October 15 of each year a quarterly report which accurately states the:

(1) Total weight and general nature of solid waste hauled into, out of, and/or within district boundaries; and

(2) Source and destination of such solid waste.

(b)(1) A report form for this purpose shall be mailed by the district to licensed haulers upon request.

(2) Failure to receive such form shall not exempt a licensed hauler from making the required report.

(c) The first report will be due April 15, 2014.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 294-107. License fees.**

All licensed haulers shall be assessed the following annual fees for licensing the collection and transportation of solid waste in the Southeast Arkansas Regional Solid Waste Management District:

(1)(A)(i) By January 31 of each year, all licensed haulers shall pay a minimum license fee of one hundred dollars (\$100) for the first vehicle registered.

(ii) For each additional vehicle registered, a licensed hauler shall pay an additional fee of ten dollars (\$10.00) per vehicle registered up to a maximum fee of two hundred fifty dollars (\$250).

(B) Upon payment of the foregoing fees, the licensed hauler will receive decals or licenses for each vehicle registered in a form determined by the director; and

(2) Fees for new haulers issued a license after January 31 of the calendar year will be prorated based on the number of full months remaining in the calendar year.

**Authority.** Arkansas Code §§ 8-6-704, 8-6-714.

**8 CAR § 294-108. Fee schedule.**

(a)(1)(A) Licensed haulers failing to obtain or renew a license before February 1 of each year shall pay a minimum license fee of two hundred dollars (\$200) for the first vehicle registered.

(B) For each additional vehicle registered, such licensed hauler shall pay an additional fee of twenty dollars (\$20.00) per vehicle registered up to a maximum fee of five hundred dollars (\$500).

(2) Failure to obtain or renew a license by March 1 of each year will result in:

(A) Revocation of the hauling license; and

(B) The applicable nonexempt hauler being prohibited from transporting or depositing solid waste in the Southeast Arkansas Regional Solid Waste Management District so long as such nonexempt hauler is not a licensed hauler.

(b)(1)(A)(i) Any new hauler failing to obtain a license within thirty (30) days after commencing to act as a nonexempt hauler shall pay a minimum license fee of two hundred dollars (\$200) for the first vehicle registered.

(ii) For each additional vehicle registered, such new hauler shall pay an additional fee of twenty dollars (\$20.00) per vehicle registered up to a maximum fee of five hundred dollars (\$500).

(B) The foregoing fees for new haulers issued a license after January 31 of the calendar year will be prorated based on the number of full months remaining in the calendar year.

(2) Any new hauler who fails to obtain a license within sixty (60) days after commencing to act as a nonexempt hauler shall be prohibited from transporting or depositing solid waste in the district so long as such new hauler is not a licensed hauler.

**Authority.** Arkansas Code §§ 8-6-704, 8-6-714.