

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Municipal Solid Waste Management and
Resource Recovery Advisory Council
TCEQ Complex, Building E, Room 201S, Austin, Texas
April 10, 2008

MEMBERS PRESENT

Mr. William R. Hindman
Mr. Tom Brown
Mr. Drue Bynum
Mr. Hector Chavez
Dr. H.C. Clark
Mr. Robert Dow
Mr. Donald Hatcher
Mr. Frank Reilly
Mr. Charles "Chuck" Rivette
Mr. David Stephens
The Honorable James S. Wyatt
Mr. David Yanke

MEMBERS ABSENT

Ms. Shirley Blanton
The Honorable Toni Lawrence
Ms. Karen Overgaard
Ms. Elena Quintanilla

DIVISION SUPPORT TEAM

Mr. Steve Hutchinson, Waste Permits Division
Ms. Sheila Nichols, Waste Permits Division

TCEQ STAFF

Ms. Jackie Hardee, Division Director
Dr. Richard Carmichael, MSW Section Leader

GUESTS

Nakish Nathan - Lowerre, Frederick, Perales, Allmon & Rockwell
Mark Rose - Letco
Wade Wheatley - TDS
Robert Vickery - Republic
Bob Gregory - Texas Disposal Systems
Faith Wright - Russel & Rodriguez
Scott Pasternak - RW Beck
Latrice Hutger - FLT

Welcome and Introduction of Members – Mr. Bill Hindman

Mr. Hindman welcomed everyone in attendance and gave a special introduction to Judge Drue Bynum, a new council member attending for the first time. The meeting highlights from the January 11th meeting were unanimously accepted and approved.

Welcome – Ms. Jackie Hardee - Waste Permits Division Director

Ms. Hardee welcomed everyone in attendance. Ms. Hardee awarded a plaque as recognition for eighteen years of service on the council to past president, Bob Gregory. Mr. Gregory was very appreciative and offered his help and support in the future.

Administrative Announcements – Mr. Steve Hutchinson

Mr. Hutchinson announced that the TCEQ web site now has an email notification system in place and informed members that they are all signed up to receive the email notifications automatically. Mr. Hutchinson also announced that web casting has begun starting with the current meeting. The web cast can be observed live or be seen any time on the web. Each meeting will be available to view for up to six months. Mr. Hutchinson went on to inform the members that sixteen of the eighteen member seats are filled and that the Request for Nominations period has closed for: (1) an elected county official of less than 150,000, and (2) an elected official of a municipality with population of 100,000 to 750,000. Mr. Hutchinson also reminded everyone of the Environmental Trade Fair to be held beginning April 29th.

MSW Section Manager’s Report – Dr. Richard Carmichael

Dr. Carmichael began by reporting that the division was still experiencing a little difficulty attracting licensed engineers and geologists to fill the existing vacancies. Dr. Carmichael gave a progress report on his team’s review of applications/modifications and went on to announce that a new rule package, House Bill 2541 which involves mulching and composting facilities in Bexar County, was proposed in March. He stated that the bill should be adopted during the Sept 3, 2008 session. A discussion period followed regarding HB 2541 and how it is affecting the industry and the possibility of the bill becoming a standard outside Bexar County. This discussion can be reviewed on the TCEQ website:

http://www.texasadmin.com/cgi-bin/tagenda.cgi?location=tnrcc&savefile=TCEQ_MSW041008

NCTCOG Regional Recycling Rate Benchmarking Study - Mr. David Yanke-MSW Advisory Council and Mr. Scott Pasternak-RW Beck

Mr. Pasternak presented data from recycling activity that was gathered from a sixteen county area by the North Central Texas Council of Governments. Mr. Pasternak explained that this is the first study of its kind in Texas and provides valuable information for all Texas communities regarding what is happening on the recycling front. This presentation can be viewed on TCEQ’s website at the following address:

http://www.texasadmin.com/cgi-bin/tagenda.cgi?location=tnrcc&savefile=TCEQ_MSW041008

Compliance History Overview – Cari-Michel La Caille – Enforcement Division

Ms. La Caille explained the point/rating system used in compiling a compliance history. Ms. La Caille went on to explain many areas of a compliance history that included: consequences of being a repeat offender, poor performers, the difference between an appeal and a correction to a compliance history. Ms. La Caille also outlined what is planned for the future of compliance histories and how to improve a rating.

This presentation can also be viewed on the TCEQ website.

Scrap Tires on the Border – Hector Chavez, MSW Advisory Council

Mr. Chavez, a council member from the city of Eagle Pass, presented a video depicting the scrap tire issues along the Texas border and a proposal for a joint effort to clean up the scrap tires. Mr. Chavez reported that since December 31, 1997 when the former tire recycling bill was allowed to expire, the scrap tire issue has continued grow. Mr. Chavez stated that he plans to go to the legislature to request a program to address the issue. Council President Hindman offered the council's support in the effort.

Chapter 305 and Chapter 330 Rules Update – Mr. Jeff Davis - MSW Permits Section

Mr. Davis gave a detailed summary of the rule changes and explained that the package would be filed with the Chief Clerk's Office on April 18, 2008. The package will then go to the Commissioners for approval on May 7, 2008. A copy of the proposal package will be sent via email to Council members after it is has been filed.

Proposed action items: A look at the composting rules that are in place for Bexar County with the intention of preparing guidelines that could be used to manage composting for the entire state.

Mr. Hindman reminded members and staff of the next meeting to be held on THURSDAY, July 17, 2008.

The meeting was adjourned by President Hindman.

Please note due to the complexity of the topics discussed, audio-taped recordings of the meeting are available. To request copies or additional information, please contact Mr. Steve Hutchinson, Waste Permits Division, at shutchin@tceq.state.tx.us , 512/239-6716. Thank you.