

HIGHLIGHTS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Municipal Solid Waste Management and
Resource Recovery Advisory Council (Council)
TCEQ Complex, Building F, Room 2210, Austin, Texas
April 28, 2006

MEMBERS PRESENT

Charles "Chuck" Rivette
William R. Hindman
Mark Rose
Bob Gregory
Donald Hatcher
Karen Overgaard
David Stephens
David Yanke
The Honorable James S. Wyatt
Jan Artley
The Honorable Jack Cobb
The Honorable D. C. "Chris" King

MEMBERS ABSENT

The Honorable Linda Stenbeck-Keller
The Honorable Toni Lawrence
Maria "Elena" Quintanilla
The Honorable Lee Leffingwell
Robert Dow
Dr. H. C. Clark

DIVISION SUPPORT TEAM

Gary W. Trim, Waste Permits Division

TCEQ STAFF

Jackie Hardee, Director, Waste Permits Division
Richard C. Carmichael, Manager, Municipal Solid Waste Permits Section
Wayne Harry, Municipal Solid Waste Permits Section
Steve Shepherd, Legal Division
Wayne Lee, Municipal Solid Waste Permits Section
Bruce Buchanan, Air Division
Tara Capobianco, Air Division
Whitney White
Marc Fuentes

GUESTS

Mely J. Briones, City of Granite Shoals, Austin

Matt Stutz, Weaver Boos Consultants, Fort Worth
Rocky Stevens
Latrice Hertzler, Future Link Technologies, Inc., Austin
Mike Oden, HDR Engineering, Dallas, Texas
Donna Pirkle, Lloyd and Gosselink, Austin
Dan Wittliff, Consultant, PLLC, Austin
Ed Myers, RJR Engineering, Austin
Angela Morman
Scott Graves, Geosyntec Consultants, Austin
Wade Wheatley, TDS, Austin
Joe Vieceli, IESI, Fort Worth
Keith Helmes, CAPCOG, Austin
Risa Fisher, Risa Fisher & Associates, Dallas
Faith Wright, Russell & Rodriguez, Georgetown

Welcome and Introduction of Members - Bob Gregory

Gregory, Advisory Council President, welcomed the Council members and guests. He introduced new Council member, The Honorable Council Member James S. Wyatt, City of Victoria, Texas. His term will expire 08-31-07. The February 27, 2006 meeting highlights were approved with one minor correction on David Yanke's attendance. A motion was made by Hindman to approve the highlights, seconded by Hatcher. Vote was unanimous.

Administrative Announcements - Gary W. Trim

Trim read the attendance requirements for Council members. He explained that the requirements are very specific regarding attendance. Missing three consecutive meetings will result in automatic removal from the Council.

Trim also asked the Council's input regarding the manner in which they receive meeting notices, agendas, etc. It was concluded that he would send all correspondence in the future via email, unless a large packet of background material is required.

Welcome - Jackie Hardee

Hardee explained that the highway construction project at Yager Lane was underway and that it would take several months to complete. She encouraged Council members to attend the Environmental Trade Fair. Hardee stated that the Chapter 330 rules were adopted, however, last minute changes were made by the Commissioners. She also stated that agency staff are currently being updated on the new rules and that the Trade Fair would also include a couple of sessions on the revised Chapter 330 rules. Staff is also working on the Chapter 305 rules.

MSW Section Manager's Report - Richard Carmichael

Carmichael gave a brief over-view of the Chapter 305 rules. He also stated that the MSW program currently has two engineering positions vacant.

He stated that a transcript of the Commissioners discussion on Chapter 330 rules is available through the Chief Clerk's office.

During the meeting, members requested that staff provide copies of the audio tapes from the TCEQ Commissioners' April 12 agenda meeting when they discussed the application of Tan Terra Environmental Services for a Type I Municipal Solid Waste Permit in Willacy County. Trim will provide copies, if requested by a Council member.

Title V General Operating Permit - Tara Capobianco and Bruce Buchanan

Changes are being made to the air operating permit for land fills. Subchapter U, Air Quality. Handouts were distributed. A stakeholder meeting is scheduled for May 8, 9:00 Bldg. C, room 131E. Seven projects are currently in Houston. Sept 2 is the deadline for the new air permits. A guidance document will be ready the first week in May.

Chapter 330 rules, what changed? - Wayne Harry

Three attachments were distributed. He stated that discussion will be held at the next meeting on several issues, including bioreactors.

TCEQ field operations staff is currently being trained by Wayne Harry on the revised Chapter 330 rules.

Hindman asked if a training video would be available to the public. Hardee answered no. However, the Trade Fair will have training on the Chapter 330 rules and guidance documents will be posted on web page, says Hardee.

Gregory stated that the Council's resolution regarding the Chapter 330 rules was considered at the Commissioners' agenda meeting and many of the Council recommendations were considered. The Commissioners expressed their appreciation for the hard work that Council members did on the Chapter 330 rules.

Concept for Chapter 305 rules - Wayne Lee

Lee explained the rule making procedures and presented the Council members and public with the following three handouts.

- letter for the stakeholders meeting to be held May 25, bldg. E, room 201S.
- new web page
- rule concept

He presented the following time-lines:

- May 25, tentative proposal
- September - Commission agenda
- Texas Register
- Adoption at Commission agenda - Jan. 07
- Effective Feb. 07

He will come back to the Council with updates before the July 21 meeting, if possible.

Action items

Council members requested that Trim resend (email) the Open Meetings Training Act information to the Council members.

Council member Stephens stated that he would like Carmichael to arrange for someone to speak at the July 21st Council meeting on compliance ratings. The agency's Enforcement Division staff would probably be interested making a presentation. Carmichael's staff will follow up.

The next Council Meeting was set for July 21, 2006.

The meeting was adjourned.