

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Municipal Solid Waste Management and  
Resource Recovery Advisory Council  
TCEQ Complex, Building E, Room 201S, Austin, Texas  
July 17, 2008

**MEMBERS PRESENT**

Mr. William R. Hindman  
Ms. Shirley Blanton  
Dr. H.C. Clark  
Ms. Barbara Graff  
Mr. Donald Hatcher  
The Honorable Toni Lawrence  
The Honorable John Monaco  
Ms. Karen Overgaard  
Ms. Elena Quintanilla  
Mr. Charles "Chuck" Rivette  
Mr. David Stephens

**MEMBERS ABSENT**

Mr. Tom Brown  
Mr. Drue Bynum  
Mr. Hector Chavez  
Mr. Robert Dow  
Mr. Frank Reilly  
The Honorable James S. Wyatt  
Mr. David Yanke

**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**

Mark Rose – Living Earth Technology - Dallas  
Angela Morrman - Birch, Becker & Morrman, LLP

### **Welcome and Introduction of Members – Mr. Bill Hindman**

Mr. Hindman welcomed everyone in attendance and gave a special introduction to new council members Barbara Graff, County Commissioner of Odessa, Texas and John Monaco, Mayor of Mesquite, Texas. The highlights from the April 10<sup>th</sup> meeting were voted to be approved by Mr. David Stephens and seconded by Mr. Charles Rivette. Council then approved the highlights.

### **Welcome – Ms. Jackie Hardee - Waste Permits Division Director**

Director Hardee welcomed everyone to the meeting and went on to announce that one of our new commissioners, Mr. Bryan Shaw would be at the meeting in the afternoon session. Ms. Hardee went on to report that the Glenn Shankle had retired and Mark Vickery, the former deputy executive director, was appointed executive director.

Ms. Hardee then announced that a public meeting had been held regarding alternative daily cover; many comments had been received and the outcome was to extend the comment period by three weeks. The idea was presented to E.D. Mark Vickery and Ms. Hardee announced that the comment period has been extended for three weeks – to on or about August 11 or 12.

### **Administrative Announcements – Mr. Steve Hutchinson**

Mr. Hutchinson had no new announcements except to say that he had updated the GIS map to include all the new council members. The new GIS (Geographic Information Systems) map displays statewide representation of Advisory Council members of various interest groups. (Interest groups consist of city and county solid waste agencies, public solid waste districts or authorities, commercial solid waste landfills, planning regions, environmental perspectives, city and county governments, financial advisors, registered waste tire processors, professional engineers, solid waste professionals, composting/recycling companies and general public representatives.)

### **MSW Section Manager’s Report – Dr. Richard Carmichael**

Dr. Carmichael reported that the MSW section was now fully staffed. He went on to say that the Chapter 305 & 330 rule packages became effective at the end of May. Dr. Carmichael gave a brief description of the changes for the new council members. Discussion regarding storm water runoff led to many questions and it was decided to invite a storm water representative to the next council meeting to speak to the questions.

Mr. Wayne Harry provided a brief summary of HB 2541 composting/ mulch rules in Bexar County and informed the council that the rule package was scheduled for adoption after 9/10/08, and, if adopted, would go into effect 9/10/09.

### **Recordkeeping Needs for Notification Requirement/Identification of “Sham” Recyclers Dr. Richard Carmichael and Mr. Steve Shepherd from the Environmental Law Division**

Dr. Carmichael noted that this discussion was in response to Dr. Clark’s request for an update on recycling rules. Dr. Carmichael said that his team has been dealing recently with recycling rules and the recycling of demolition and construction materials. Recycling notifications have been primarily for businesses with a limited waste stream. Recently MSW has been receiving applications for businesses that want to recycle a broad stream of materials by putting roll off dumpsters at a construction sites. His team is working through the process of authorizing them as a registration tier. He stated that they would like to see records of incoming loads and rejected loads – just whether a facility is rejecting loads – it would not need to be

quantified. He noted that regarding incoming loads, they would like to see how much of the load is not material that can be recycled. Dr. Carmichael stated that TCEQ would like to work with industry to obtain numbers from record keeping that can be available in case inquiries arise.

### **Consumer Education Efforts Computer Recycling – Mr. Andrew Hoekzema, Small Business and Environmental Assistance Division**

Mr. Hoekzema announced that the new computer recycling rules were adopted on July 7<sup>th</sup> and would become effective 7/31/08. He went on to say that there is no marketing budget and the effort for providing consumer education would be done from the Agency. Mr. Hoekzema reported that a stakeholder meeting was held on June 13<sup>th</sup> with retailers, non-profits, businesses, and schools attending. He reported that a lot of good feedback came from the meeting. The SBEA Division also plans to work with area Council of Governments and local governments with the education efforts. Mr. Hoekzema also announced that a website will be set up as of September 1, 2008 with a list of all the approved computer manufacturers. The site can be reached through a link from the TCEQ website.

### **Introduce Commissioner Bryan W. Shaw, Ph.D.**

Ms. Jackie Hardee warmly introduced the newest commissioner. Dr. Shaw made a few comments and each council member introduced themselves to Dr. Shaw with a short summation of their background. Dr. Shaw said he looked forward to working together with the council members and then introduced his executive assistant, Kevin Patteson.

### **Contaminant Standards Alternative Daily Cover – Mr. Wayne Harry – Waste Permits Division**

Mr. Harry stated that the Commission has initiated a rulemaking to revise the allowable contaminant standards for the materials that can be used as an alternative daily cover in Type 1 landfills. The proposal is currently in the comment period which has been extended to August 8. The package is scheduled for agenda on November 12 and scheduled for adoption on November 17. The rules could possibly be in effect by December 7, 2008. A lengthy discussion followed and can be viewed on the TCEQ website.

**Proposed action items:** 1) Stormwater as it relates to solid waste facilities; 2) illegal dumping and any programs that are working to improve that situation.

Mr. Hindman reminded members and staff of the next meeting to be held on THURSDAY, October 9, 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](mailto:shutchin@tceq.state.tx.us), 512/239-6716. Thank you.*