



The Lone



## MEETING MINUTES

### TXSWANA Board of Directors Meeting

Houston, TX

Friday, February 17, 2017 10:30 a.m. Central Time

**Present:** David McCary, Richard McHale, Jeff Mayfield, Lonnie Banks, Paul Gosselink, Harry Hayes, Lawrence Mikolajczyk, Catrennia Williamson

**Phone:** Morris Williams Jr., Ellen Smyth, Brenda Haney, Elvira Alonzo, Vance Kemler, Michael Rice,

**Absent:** Holly Holder, Frank Pugsley

**Guests:** Hal Wood, Donald Siptak, Chase Fosse, Natalia Urbina, Michael Carleton, Risa Weinberger, Liza Bustamante, Ty Embry, Matt Stutz

**CALL TO ORDER:** David McCary called the meeting to order at 10:34 a.m., Central Time. A quorum was present.

#### APPROVAL OF MINUTES:

Motion made by Lawrence Mikolajczyk to approve the minutes for the January 13, 2017 meeting. Harry Hayes seconded the motion and it passed unanimously.

#### FINANCIAL REPORTS:

Morris Williams, Jr. presented the financial report for January 1, 2017 through January 31, 2017. January 31, 2017 balances for each account were as follows: \$192,085.93 for checking account, \$30,259.09 for savings account, \$77,331.00 for the conference account, and \$5,000.00 for the State Road-e-o account. Motion made by Harry Hayes to approve the January 2017 financial report. Lawrence Mikolajczyk seconded the motion. The motion passed unanimously.

#### CHAPTER BUSINESS:

**2017 TxSWANA Conference (San Antonio)** – David McCary reviewed a spreadsheet he distributed that shows the sponsors and sponsorship levels (paid and commitments). He asked each board member organization consider at least one presentation at the conference. Abstracts are due February 28. Chase Fosse noted that to date, six submittals were received and seven more are anticipated to be submitted. Ideally, 18-30 presentations are needed for the entire conference. The author name and bio for accepted presentations is to be submitted to Ellen Smyth; she has to submit the abstracts to the TCEQ by March 10 for certification of continuing education unit (CEU) credits to ensure CEU credits are approved before the conference.

**2017 Road-E-O Site (Midland)** – Morris Williams Jr. had to leave the call prior to this item discussion so there was no report.

**Newsletter/Website** – Michael Rice stated he is working on the newsletter and that it will be sent out in April. That issue will discuss the upcoming Road-e-o. Michael noted advertising sponsorship is going well.

**Legislative/Regulatory** – Ty Embry reviewed the bill tracking report he emailed to board members earlier in the day. He noted the House and Senate committee chairs were recently assigned. Hearings will start at the end of February. March 10 is the deadline to file bills with a statewide impact. At the March 10, 2017 board meeting, Ty would like to review with the board solid waste industry filed bills to determine positions.

The following bills were briefed by Ty: HB1584 related to a Commissioner Court's ability to regulate solid waste disposal in unincorporated areas of a county or in a municipality's ETJ. Ty is reaching out to Rep. King's office to seek clarification on the intent of the bill. SB551 addresses the TCEQ's authority to return an application that is inaccurate or incomplete; this bill is directed at the Pintail application. SB570 regarding the retention, storage, transportation and disposal of used scrap tires. SB781 prohibiting solid waste facilities over a major aquifer that is a source of water for a municipality with greater than 1 million residents and is more than 100 miles from the Gulf of Mexico coast. This bill is directed at Guadalupe County and the Post Oak Landfill application. HB1115 related to the definition of an affected person for contested case hearings. This will expand the definition to a number of elected officials even though they may not reside in the vicinity of the facility. HB 489 related to the creation of a waste tire dumping enforcement grant program. SB746 related to prohibiting the land application of grit and grease trap waste. This bill is aimed at the BLM application in the Victoria area.

Matt Stutz provided an update on the USEPA New Source Performance Standards (NSPS)/Emission Guidelines (EG) rules. XXX rule is for landfills that are new or expanded after July 17, 2014. EG is for existing landfills that haven't been modified since July 17, 2014. Each state has until May 30, 2017 to submit their implementation plan to the USEPA. If no plan is submitted, EPA will write a plan and the state will be required to follow it. TCEQ staff will soon request the Commissioners authorize plan development; TCEQ has no intention to make the May 30 deadline. There is pending litigation against USEPA over the rules.

Paul Gosselink briefed the group on the TCEQ permit streamlining stakeholder group; he and Vance Kemler are participants. Richard Hyde, TCEQ Executive Director has tasked Earl Lott, Chance Goodin, and Matt Baker with this initiative. TCEQ wants to develop checklists to make the permit review process go faster. There doesn't appear to be much push by the regulated community to see the process sped up. Paul will talk with Earl Lott before the TxSWANA San Antonio conference regarding the need for this and if appropriate, perhaps the TxSWANA Executive Committee and Paul will meet with Earl at the conference to discuss this further.

Paul Gosselink updated the board on the status of the proposed Mobile Emission Reduction Credit (MERC) rule making effort. Paul met with TCEQ Commissioners Shaw and Niermann since the January TxSWANA board meeting. The draft rule is scheduled for publication today (February 17). Three stakeholder meetings are scheduled as follows: February 28 – Houston, March 1 – Dallas-Fort Worth, and March 2 – Austin. Richard McHale made a motion to authorize an expenditure of up to \$10,000 to make Lloyd Gosselink financially whole on their to date efforts, meet with TCEQ Commissioner Baker, and attend the stakeholder meeting in Austin. Paul will then report back to the board at the March 10 meeting. Brenda Haney seconded the motion. The motion carried unanimously with Paul Gosselink abstaining.

**IB Report** – Brenda Haney reported the SWANA Executive Committee is meeting this weekend (February 18-19). Membership report shows more than 200 new members bringing the total to approximately 8,700. Approximately 400 proposed presentations were received for the upcoming WASTECON/ISWA conference. Brenda noted ISWA has a scholarship fund to help prepare and educate Nicaraguan youth living on landfills sorting waste, thereby removing them from that environment. To give the board time

to review the program over lunch Paul Gosselink made a motion to review over the lunch break before voting on the matter. Seconded by Harry Hayes. The motion carried unanimously.

The board broke for lunch at 12:18 p.m. Central time and resumed the meeting at 12:45 p.m. After the lunch break, Ellen Smyth made a motion for TxSWANA to donate \$1,000 to the scholarship fund. Brenda Haney seconded the motion. The motion carried unanimously.

**OTHER BUSINESS:**

**Texas Chapter Webinar (Update)** – Ellen Smyth reminded the group of the webinar program TxSWANA purchased through SWANA. There are approximately 75 webinars available for viewing. Frank Pugsley will post the debit code and link on the TxSWANA web site for accessing the webinars. Michael Rice will mention the program in the next newsletter. An email blast may also be sent to TxSWANA members. Ellen will contact TCEQ to determine whether some of the webinars may be approved by TCEQ for CEUs.

**Water Balance Project Update** –Vance Kemler sent a letter to the contract contact requesting the electronic files for water balance modeling. He is still waiting for a response.

**Update Committee Members List** – David McCary discussed the committee list he sent to the board members via email on February 16, 2017. David reviewed several changes he will make to his list and noted he will email the updated final list. Richard McHale made a motion to approve the committee list reflecting David's changes. Harry Hayes seconded the motion. The motion carried unanimously.

**Texas Safety Training Update** – Brenda Haney reported the SMART Committee will develop an agenda for the next quarterly meeting to be held at the April TxSWANA conference.

**2017 Business Meeting Calendar** –The meeting dates and locations were reflected in the November 18, 2016 meeting minutes. No further action required for this item.

**Confirmation Attendance for Directors at WASTECON (September 25-27, Baltimore Convention Center)** - Brenda Haney will discuss with SWANA national staff at the SWANA Senior Executive Seminar regarding how to handle payment for TxSWANA directors attending WASTECON.

**ANNOUNCEMENTS:** - There were no announcements.

**ACTION ITEMS:** Scholarship Criteria Update; Decide on financial value for companies to place their logo on the banner at the bottom of the TxSWANA web site.

**ADJOURN:**

The meeting adjourned at approximately 1:45 p.m., Central Time.

**NEXT MEETING:**

The next TxSWANA Board of Director's meeting will be held Friday, March 10, 2017, at the offices of Parkhill, Smith & Cooper located at 4222 85<sup>th</sup> Street, Lubbock, TX 79423.