



The Lone



MEETING MINUTES

TXSWANA Board of Directors Meeting

Irving, TX

Friday October 20, 2017 10:30 a.m. Central Time

Present: David McCary, Richard McHale, Morris Williams Jr., Jeff Mayfield, Elvira Alonzo, Paul Gosselink, Brenda Haney, Holly Holder, Lawrence Mikolajczyk, Frank Pugsley, Catrennia Williamson

Phone: Harry Hayes, Ellen Smyth

Absent: Lonnie Banks, Michael Rice

Guests: Michael Carlton, Kyle Foreman, Bill Hindman, Tyler Hurd, Vance Kemler, James Norstrom, Jeff Reed, Tiana Lightfoot-Svendsen, Sonia Samir, Matt Stutz, Risa Weinberger, Hal Wood

CALL TO ORDER: David McCary called the meeting to order at 10:33 a.m., Central Time. A quorum was present.

APPROVAL OF MINUTES:

Motion made by Harry Hayes to approve the minutes for the September 25, 2017 meeting. Richard McHale seconded the motion and it passed unanimously.

FINANCIAL REPORTS:

Morris Williams, Jr. presented the financial report for September 1, 2017 through September 30, 2017. September 30, 2017 balances for each account were as follows: \$186,192.48 for the checking account, \$30,265.10 for the savings account, \$6,400.00 for the conference account, and \$13,830.73 for the State Road-e-o account. Morris commented he will change the heading of the detail section of the conference account from San Antonio Conference to Denton Conference. Morris also noted he will contact the TxSWANA accountant to begin the process of preparing the 2017 tax filing. Motion made by Brenda Haney to approve the September 30 2017 financial report with the conference change heading noted by Morris, seconded by Frank Pugsley. The motion passed unanimously.

CHAPTER BUSINESS:

2018 TxSWANA Conference (Denton) – Tyler Hurd reported all registration will be online at a cost of approximately \$1 per registrant plus a percentage fee. A call for papers will go out soon.

2018 Road-E-O Site (El Paso) – Ellen Smyth reported the event will be held Saturday June 9. The truck component will be held at Cohen Stadium and the landfill component will be held at the McCombs Landfill. The Saturday evening event will be held at Indian Cliffs Ranch.

Newsletter/Website – Frank Pugsley reminded the Board that he sent an email Oct. 18 with a proposed web page layout for advertisement and sponsorship opportunities. Michael Rice was not present so there was no newsletter update.

Legislative/Regulatory – Matt Stutz reported the TCEQ recently issued an Enforcement Discretion memo regarding the daily visual observation requirement for landfill flares. The permittee has to perform at least 98 percent of the daily observations to be in compliance, but, not observing when the site is

closed such as on Sundays or holidays will result in less than 98 percent compliance. Reviewing photographic or video surveillance (the TCEQ memo says “[a]lternatively, landfills may use a camera to ensure compliance...” of the flare is acceptable. Failure to observe on closed days will result in being out of compliance but the TCEQ through this memo is stating they have the discretion to not enforce as long as daily observations are performed and logged when the site is operating. When submitting the Title V semi-annual deviation and monitoring report, and there is a deviation due to not observing the flare on days the site is closed, the facility is required to report the deviation and Matt recommends attaching the TCEQ Enforcement Discretion memorandum. The same procedure is recommended for closed unstaffed sites if no one is performing the daily visual observation. Matt also reported he recently attended a meeting with the USEPA regarding the NSPS rules and noted the USEPA stated they didn’t intend for the two rules to overlap, but have not determined how to resolve the apparent conflict. He also reported the USEPA will be offering a reconsideration of the NSPS rules, but first must perform a Risk and Technology Review required under the Clean Air Act.

There was discussion regarding the October 18, 2017 email SWANA’s Jesse Maxwell sent to David McCary who forwarded it the same day to the Board. The email requested assistance with completing missing data on a list the USEPA provided for landfills exempt from annual greenhouse gas reporting to USEPA. Matt Stutz, David Mezzacappa and Holly Holder will review the list and report to Paul Gosselink which sites are closed or for which they have the required information. Paul will then have his staff attempt to obtain the requested information for the remaining sites. On a motion from Vance Kemler, seconded by Frank Pugsley and unanimously passed by the board, Lloyd Gosselink was authorized a not-to-exceed budget of \$2,900 to complete the spreadsheet as best as possible. After the meeting it was realized that since Vance is no longer on the board, he can not make the motion. Via emails sent on October 25, 2017 Jeff Mayfield made the motion that Lloyd Gosselink be authorized a not-to-exceed budget of \$2,900 to complete the spreadsheet as best as possible, seconded by Ellen Smyth. Eleven directors responded, all in favor, so the motion carried.

Jeff Reed provided a briefing on the Pintail application; Paul Gosselink previously emailed a project status to the Board on September 21, 2017. Jeff Reed also reported the TCEQ will reopen the Chapter 312 wastewater biosolids rules. A stakeholder meeting will be held on October 30, 2017 soliciting input on the rule change. The Board approved Jeff Reed to monitor the rulemaking for the Board.

Paul Gosselink discussed the October 11, 2017 letter SWANA sent to all 50 state environmental regulatory agencies regarding the upcoming January 1, 2018 Chinese waste and scrap material ban.

The Board recessed for lunch at 11:37 am and reconvened at 11:58 am.

Young Professional – Tiana Lightfoot Svendsen reviewed a presentation on the October 14 YP event at the Garland Landfill; the presentation was included in David McCary’s October 18, 2017 email sent to the Board. The Board approved use of the YP logo included in the presentation.

IB Report – Frank Pugsley reported David Biderman was contacted by Earthx, the Earth Day Texas event held at Fair Park in Dallas about SWANA participating. After a brief Board discussion, it was agreed Frank would respond back to David Biderman that local participation is more appropriate for this event rather than SWANA national.

OTHER BUSINESS:

None to report.

ANNOUNCEMENTS: - Holly Holder briefed the Board on several items discussed during the October 12, 2017 TCEQ Municipal Solid Waste Management and Resource Recovery Advisory Council. He

reported Scott Pasternak gave a presentation to the council on the recently released "Study on the Economic Impacts of Recycling", and there was a presentation on mattress recycling. Holly also noted Chance Goodin told the council there recently was a public hearing in the Houston area and there was much interest in drainage calculations based on the 25-year, 24-hour rainfall event and whether that is still adequate.

Vance Kemler reported the October 2017 edition of Texas Monthly named Paul Gosselink Super Lawyer in the Environmental category. Congratulations Paul!

Ellen Smyth reported State Representative Joseph Pickett and State Senator José Rodriguez, both representing the El Paso area have cancelled their attendance at the November TxSWANA meeting in El Paso.

With the upcoming retirement of Paul Gosselink, his final meeting will be November 17, 2017. Brenda Haney made a motion to appoint Jeff Reed with Lloyd Gosselink to fill the remainder of Paul's term after the November meeting. The motion was seconded by Frank Pugsley, and passed unanimously.

Holly Holder announced effective October 1, 2017, Frank Pugsley was appointed Partner of Parkhill, Smith, and Cooper. Congratulations Frank!

ACTION ITEMS: The Board previously agreed to add safety as a recurring meeting agenda topic.

Rolling Action Items Until Complete: Brenda Haney will contact TETC to determine how many driver simulation locations they are interested in participating in. Scholarship Criteria Update – Richard McHale has researched what other chapters are doing for scholarships including amounts awarded; he compiled the information and reported he will have an update by the January Board meeting.

ADJOURN:

The meeting adjourned at 1:27 p.m., Central Time.

NEXT MEETING:

The next TxSWANA Board of Director's meeting will be held at 10:30 a.m. Mountain time on Friday November 17, 2017, at the City of El Paso Airport.