

Texas Commission on Environmental Quality
Pollution Prevention Advisory Committee
Conference Call Minutes
April 5, 2006 – 9:00 a.m.

Location:

12100 Park 35 Circle
Building F – Suite 1301
Austin, TX 78753

PPAC co-chair A.W. Armstrong opened the meeting. PPAC members present for the meeting were: Melanie Barnes, A.W. Armstrong, Debbie Boyle, Ned Meister, Jim Cumbest, Berna Dette Williams, and Sharla Hotchkiss. James Voelker and Jennifer Ahrens participated as staff for TCEQ.

I. Approval of Agenda

There were no suggested changes to the agenda.

II. Consideration of Minutes

a. February 27, 2006

A.W. Armstrong reported that he had not had a chance to view the minutes from the February meeting due to e-mail problems. James Voelker forwarded him the February 27 minutes. Mr. Armstrong suggested that because he hadn't had a chance to review them, the committee could hold off on approving these minutes until the face-to-face meeting in May. Without anyone objecting, the committee agreed.

III. Summary of HB 2793 Implementation

James Voelker provided a summary of the current status of the implementation of HB 2793. He reported that approximately 630 buckets had been sent out to facilities throughout the state. He also reported that staff has had a number of discussions regarding implementation of issues surrounding the implementation with various stakeholders, including representatives from the auto manufacturers, the steel industry, and the automobile recyclers.

Melanie Barnes asked how the implementation is going. Mr. Voelker responded that the auto industry had been cooperative throughout the implementation. He added that staff is currently trying to incorporate feedback from the steel and auto recycling industries to improve the implementation.

AW Armstrong asked what PPAC's role in the implementation is. Mr. Voelker answered that these updates are provided because the PPAC had organized a sub-committee to discuss mercury switches. He suggested that staff could discontinue the updates if the committee wished.

Mr. Armstrong asked if the committee should necessarily still be discussing mercury, especially given the reported de-emphasis of mercury issues reported by management at the February meeting. Melanie Barnes responded that other PPAC discussions at the retreat and elsewhere had included issues of mercury in schools, hospitals, and other issues. She suggested that the de-emphasis was in regards to those issues, which seem to be progressing on their own. She added that mercury switches had legislation that called for the implementation of a program.

Berna Dette Williams suggested that the PPAC had done its part. She suggested that the technical staff could take care of the rest, adding that the committee could move to the new issue.

Mr. Armstrong asked if she was proposing that the committee drop the mercury issue. Ms. Williams responded that she is.

Mr. Armstrong asked for a second. Mr. Cumbest seconded the motion. The committee agreed to drop the mercury switch issue unless future significant updates are warranted.

IV. Summary of the new “Clean Texas” Program

James Voelker provided an update of the new Clean Texas program, with a written summary provided to the committee members. Mr. Voelker reported that the program was being revised in an effort to promote it to a wider membership, while also maintaining or even enhancing the program as a national leader in environmental leadership programs. He suggested that one of the more visible changes will be the change to the name, from Clean Texas, Cleaner World to the Clean Texas program. Mr. Voelker added, however, that this name change will not likely cause many problems because many people continued to identify the program as “Clean Texas” even after the original name change. He noted that although the program is open to any organization, its requirements are more tailored to businesses and their potential commitments. Mr. Voelker reported that the new membership levels would be Bronze Level, Silver Level, Gold Level, and Platinum Level.

Melanie Barnes asked how many of the PPAC members are also members of Clean Texas. Both Jim Cumbest from Bell Helicopter and Debbie Boyle from TXU noted that their organizations were both members.

AW. Armstrong noted that the goal of the changes was to revise the program within the framework of the original legislation. He suggested that going back to the legislation from the 77th session, that legislation did not require a new auditing protocol, simply that participating organizations implement a third-party EMSI. He added that the agency did implement a new auditing protocol, and the result was a program that many viewed as so restrictive that it was driving the EMS requirement. Mr. Armstrong suggested that specifically facilities in the Petroleum and Petro-Chemical industry that had spent a lot of money on developing their own EMS program were not included in the new standard. Mr. Armstrong suggested that as a result, these facilities were unwilling to participate. He added that he would like PPAC to research other states and benchmark where the Texas program falls among those programs.

Jim Cumbest agreed that such research could be a good action item for PPAC. Mr. Armstrong suggested that it would be good for the PPAC to take this on and provide the commissioners with guidance.

Sharla Hotchkiss suggested that the staff has likely already researched standards elsewhere. Mr. Armstrong responded that while staff has likely done the research, in the end, the Texas program only had five members out of several hundred that were certified.

Mr. Cumbest volunteered to do the research, adding that he can't do all fifty, but he can research those that have them. Mr. Armstrong noted that there are only about five states nationwide, so there aren't that many programs. He added that Wisconsin is one example of another state's program that is up for an award from Harvard. He then asked why Texas isn't up for an award.

Mr. Armstrong than suggested that the committee should run the idea of researching through the Initiative Selection process to see if the committee wants to pursue it. He added that if the committee approves it, then the various states can be distributed among members willing to help research.

James Voelker noted that in the past, “champions” for each issue had typically taken an issue through the proposal process outside of periodic meetings, and then presented the completed process “worksheet” to the committee.

Melanie Barnes suggested that Mr. Armstrong and Mr. Cumbest should do the research. Mr. Armstrong agreed, suggesting that they should do it together.

Ms. Hotchkiss asked if there wasn’t a stakeholder group already looking into this. Mr. Armstrong responded that it is his understanding that the stakeholder group she is talking about, the Environmental Performance Partnership (EPP) is in somewhat of a limbo. He added that he is an active participant, and they have various committees looking at various topics. He believes the PPAC could look into the structure of the Clean Texas program and provide recommendations. He noted that the public comment period is almost up for the new changes, and they plan to role that out by June 1.

Mr. Cumbest noted that he had a summary from the last EPP meeting that he can provide. Ms. Barnes suggested that he provide that summary to TCEQ staff so that they could distribute it to members.

Ms. Barnes asked if there were any other comments.

Ned Meister asked if non-profits would likely be limited to the Bronze level.

Mr. Voelker responded that non-profits would be welcomed into other levels if they were able to identify larger environmental impacts that could be eliminated, but he agreed that yes, non-profits would likely be limited to the Bronze Level.

V. Review of “PPIA-Examples of Major Issues”

Melanie Barnes asked if anyone had any comments on the “Major Issues” for PPIA, noting that A.W. Armstrong had some comments in prior discussions.

A.W. Armstrong responded that he just wants to make sure the committee aligns its initiative selection process with the priorities.

Sharla Hotchkiss asked what PPIA is. Mr. Armstrong responded that PPIA is the Pollution Prevention and Industry Assistance Section. James Voelker added that PPIA is a section within the Small Business and Environmental Assistance Division. He went on to say that there are three sections within the Division, which Matt Baker is the director of, while Brian Christian is the manager of PPIA.

VI. PPAC Initiative Selection Process

A.W. Armstrong asked if there were any comments on the current initiative selection process.

Jim Cumbest suggested that just in looking at it he think it looks like it moves pretty smoothly. He suggested that the committee could run something through to see how it works and make any changes from there.

Ned Meister said that he think that sounds good.

Melanie Barnes asked if there is anything anyone wants to bring forward. She noted that environmentally preferable purchasing had been brought forward previously.

James Voelker suggested that the issue could benefit from a future discussion once new staff from the Texas Building and Procurement Commission (TBPC) had been brought up to speed.

Berna Dette Williams made the motion to table that issue until future discussions. Sharla Hotchkiss seconded the motion. Without objections, but issue was tabled.

VII. Other Business

Melanie Barnes asked if there was anything additional. She noted that Jim Cumbest and A.W. Armstrong would bring back their summary of the proposed research on other state performance track programs at the next meeting.

Sharla Hotchkiss suggested that she would like an update of the computer recycling discussion at the agency. James Voelker responded that staff could work to provide that update, adding that staff could try to provide the summaries of other initiatives that had been identified by members in the past.

Ms. Barnes asked if there were any additional issues.

Berna Dette Williams noted that she likely won't be able to attend the next meeting.

Jim Cumbest reported that he is working to recruit additional Clean Texas members in the Amarillo region.

The committee agreed to the next meeting face-to-face on May 11, during the afternoon, following the TCEQ Environmental Trade Fair.

The meeting was adjourned at 10:57 a.m.