

**Texas Commission on Environmental Quality  
Pollution Prevention Advisory Committee  
Meeting Minutes  
May 11, 2006 – 1:15 p.m.**

PPAC members present for the meeting were: Robert Gill, Melanie Barnes, Sharla Hotchkiss, Jim Cumbest, Ned Meister, and Berna Dette Williams. James Voelker and Jennifer Allis Ahrens participated as staff for TCEQ.

I. Approval of Agenda

The meeting's agenda was not approved because a quorum was not present.

II. Consideration of Minutes

- a. February 27, 2006
- b. April 5, 2006

III. Selection of new PPAC Co-Chair

Melanie Barnes began the meeting by mentioning that she had been thinking about structure of the issues related to the PPAC. She noted that the committee had been created to deal with an issue that was relatively contentious. She added that the committee had been created to bring together representatives from a variety of stakeholder groups. She suggested that the agency had successfully assisted in implementing WRPA, has tried to deal with new issues as they arise.

Ms. Barnes added that with recent issues such as mercury switches, the PPAC had helped bring together the various stakeholders. She suggested that the committee had brought them face-to-face and facilitated a discussion prior to the Legislative action. Ms. Barnes noted that at the last meeting, the committee had decided PPAC had served its role in that issue.

Ms. Barnes suggested that now the PPAC needs a topic that needs the sort of discussion that the committee can provide. She suggested that the committee has gone through big changes with membership and also big changes at the TCEQ, with new directions. She noted that Brian had brought up water quality, air quality, and water conservation. Ms. Barnes asked if the committee can do something there? She noted that the big topic that has consistently come up is education, and personal actions.

Robert Gill suggested that the TCEQ needs to come with a topic or issue that they need the PPAC to discuss.

Ms. Barnes responded that the committee may want to not only look into issues the TCEQ might raise, but also statewide issues that the committee members might want to pursue.

Sharla Hotchkiss added that one of her concerns is a turnover at the TCEQ as well as the committee. She said that she needs to know more about the passion of the people who drive this committee, including TCEQ staff. She suggested that the PPAC can't do anything without TCEQ buy-in and support, adding that the committee needs to know where they can be useful, but can't come up with that idea in a vacuum.

Ned Meister said that looking at agriculture in Texas, those sectors that have gained regulatory attention, namely feeding operations, they have industry and regulatory strategies for pollution prevention. He added that there might be many important issues that are beyond the committee's control.

James Voelker asked if there were any additional looming issues in agriculture that the committee could help facilitate some action.

Mr. Meister responded that an important issue is air quality for confined feeding operations. He suggested that the normal "row-crop" agriculture may not provide many opportunities for assistance. He added that different strategies are often required for different areas of the state.

Mr. Voelker asked if there might be any looming issues for anyone else beyond agriculture.

Sharla Hotchkiss responded that she wants to talk about computers and e-waste. She asked what the status of the TCEQ e-waste discussion is. Mr. Voelker responded that the discussion was ongoing and there weren't any additional updates.

Robert Gill noted that the defense department has periodic meetings with the TCEQ through the Texas Environmental Partnership (TxEP). He suggested that the meetings serve as an effective forum that allows them to address specific issues that might otherwise be items that would pop up for attention to a group like PPAC.

Mr. Meister reported that Farm Bureau had been involved in the Total Maximum Daily Load processes. He suggested that the tendency or the sense is to move to a holistic pollution prevention approach, adding that he doesn't know the PPAC needs to address something like this as it might be common knowledge.

Mr. Voelker asked if the Farm Bureau might see a need to help communicate that information.

Mr. Meister responded that the TCEQ may be helpful in communicating or even developing that sort of pollution prevention information.

Ms. Hotchkiss suggested that the PPAC has evolved, adding that she believes one of the main reasons she's put on the committee is the education side of the work the PPAC does. She suggested that in the past few years, the PPAC has done very little in terms of the education part of what was part of our job. She said she has a sense that the committee is facing a question of what it wants to "be when it grows up."

Jim Cumbest suggested that it is important to identify the end goal. He noted that the various members have a lot of different goals. Mr. Cumbest added that what might be a "show-stopper" in one industry might not be important in another sector. He also suggested that everyone has a different experience and those individual experiences can strengthen the whole.

Ned Meister reported that Farm Bureau has 23 advisory committees broken up into various commodities. He added that their purpose is to advise the committee in general and also advise the committee on emerging issues. He noted that their main purpose is to identify emerging issues within the commodity and address it, adding that there may be a hot issue at any given time, but not necessarily an ongoing issue.

Mr. Voelker asked if that meant the advisory committees have ongoing meetings. Mr. Meister responded that they don't necessarily have ongoing meetings but more of an ongoing structure that can address issues as they arise.

Jim Cumbest suggested that this is more of a pull system instead of a push.

Melanie Barnes suggested that in terms of issues for the committee, the bureaucratic boundaries created by the various actions taken by the legislature regarding water are often overlapping. She asked if the committee can help clear up the boundaries.

Mr. Meister suggested that taking on that issue would be highly political.

Ms. Barnes suggested that grey water is also an issue, adding that there might already be existing rules.

Mr. Mesiter responded that there are existing rules, and suggesting that he believes washing machine grey water can be captured but not sewage wastewater.

Sharla Hotchkiss asked more members weren't on the phone.

James Voelker responded that some had family commitments, others had responded with work commitments, adding that he hadn't heard from many others. He asked Jennifer Allis Ahrens from Inter-governmental Relations where TCEQ might fit into the water discussion.

Ms. Ahrens responded that she was wondering if those issues would in fact fall within the mandate of the PPAC.

Melanie Barnes suggested that the PPAC has traditionally had a broad mandate. She noted that in the past, the committee was driven by guidance from SBEA management. She added that the committee had received some guidance from current management, but more would be helpful. She suggested that the committee might be losing direction because the TCEQ direction is changing, but the committee has changed as well.

Ms. Hotchkiss suggested that meeting less often would create problems of how to maintain the link between members.

Ms. Barnes noted that Paula Littles had brought in issues of worker safety as well.

Ms. Ahrens said she didn't believe she had fully answered previous question. She noted that SB 1 and 2 had dealt a lot with the issues around water supply management. She noted that there is an existing committee, the Water Advisory Council, which is composed of legislative representatives and representatives from a number of state agencies.

Mr. Voelker asked how the Farm Bureau keeps their committees going.

Ned Meister responded that their committee meetings are twice annually, with additional issue meetings and conferences. He noted that there are times with good attendance and times where attendance drops off., adding that particular issues and related information are directed to that specific committee.

Mr. Voelker asked if TxEP had similar issues.

Robert Gill responded that TxEP meets twice annually, and two sector areas meet quarterly or semi-annually.

Mr. Voelker asked if there might be a mechanism within the TCEQ for directing issues to the PPAC.

Ms. Ahrens responded that IGR would be happy to try to identify issues that the legislature might be interested in. She said she would provide the committee members with the interim charges for each of the committees dealing with environmental issues in both the Texas House and the Senate. She added that within the agency, identifying potential issues would be more of a management issue.

Mr. Voelker asked how issues come before the Municipal Solid Waste Management and Resource Recovery Advisory Committee.

Ms. Ahrens responded that their focus was mostly on rules and regulations. She suggested that the MSWMRRAC is more “nuts and bolts” for MSW as opposed to issue-based that the PPAC pursues.

Jim Cumbest suggested that green-building is an issue like that.

Mr. Voelker noted that green building is something that has come up in every meeting over the last year. He added that in each case, it’s lacked a champion, and that was one of the key components of the initiative selection process.

Mr. Cumbest suggested that green building could be an issue that will be growing, especially as federal regulations may force it.

Melanie Barnes suggested that it may be an issue the PPAC may want to take up. She added that the PPAC could discuss where regulations may be required, and where education may be better.

Sharla Hotchkiss said that she thinks more than regulation it’s a matter of education for green building.

Ms. Barnes asked if there were any other issues.

No one responded with any additional issues.

Melanie Barnes reported that one important item would that she is planning to step down as co-chair, and possibly step down from the committee. She said that she recently received a large grant, and implementing the grant will mean that she won’t have the time to devote to the committee.

Ms. Barnes nominated Sharla Hotchkiss to serve as co-chair. Jim Cumbest seconded the motion. It was agreed that her nomination as co-chair would be added to the next agenda.

- IV. PPAC Initiative Selection Process
  - a. Review of current process
  - b. Potential changes

- V. Previous PPAC Initiatives
  - a. Green Purchasing
    - ✓ Initiative Selection worksheet completed
  - b. SDRS
    - ✓ Initiative Selection worksheet completed
  - c. Risk-based enforcement
    - ✓ Initiative Selection worksheet completed
  - d. Electronics Recycling
    - ✓ White Paper completed

- VI. New PPAC Initiatives
  - a. Summary of performance-based systems in other states
  - b. Other new initiatives?

***No discussion on the above agenda items due to a lack of a quorum.***

Jim Cumbest reported that he had prepared a presentation on the performance-based programs in other states.

James Voelker said that he will provide the members with the presentation along with minutes. He asked if the committee would like to include a discussion of the meeting schedules for the committee as well as a structure for the agenda on the next agenda.

Sharla Hotchkiss A statement of leadership from the TCEQ on what issues they would like to see the PPAC tackle.

Melanie Barnes added that the committee had received an introduction, but no real direction from management. She suggested that the playing field has changed, and the committee doesn't know where they can make a difference, even if it's facilitating discussions at various points in the year. She also suggested that maybe communication is the area where the TCEQ needs some guidance on where it needs to go, adding that TxEP facilitates the discussion and provides education.

Ned Meister TPDES is an example of the sort of issue where the Farm Bureau worked with the TCEQ and hammered out some documents that moved the issue forward. He suggested that educational efforts can always be improved, but he believes the committee need guidance from the Commissioners on what they would like us to pursue.

Ms. Barnes suggested that maybe an action item could be to have the co-chairs meet with Matt and Brian in person or via conference call to discuss a new mission.

The members present for the meeting discussed possible dates for the next meeting. The morning of June 15 or June 22 for a conference call had the fewest conflicts.

The meeting was adjourned at 2:40 p.m.