

**Dallas Small Business Advisory Committee**  
**Wednesday, May 27, 2009 from 10 AM to 12 PM**  
**North Dallas Chamber of Commerce, 10707 Preston Road, Dallas, TX 75230**

[www.sblga.info](http://www.sblga.info)

<http://www.tceq.state.tx.us/assistance/sblga/dallas.html>

**FY09 Priorities**

1. Ensure a variety of small businesses are represented on the SBAC/recruited for membership.
2. Develop relationships with elected officials to ensure they are informed on small business environmental issues.
3. Provide SBAC input on rules and major issues facing the agency.

**Attendees**

DSBAC Members: Carolyn Ashcroft-guest of Dalphine Hogg, Ken Benson-Co-chair, Dalphine Hogg-Hogg's Automotive, David Miller-City of Dallas, Kim Millette-Emerald Consulting, Joe Polanco-Co-chair, Marcus Reed-MT Reed Construction, Gerald Roehrig-Roehrig and Associates, Janielle Thies-Emerald Consulting, Lathan Watts-TEXO, Stacy Wright-City of Farmers Branch.

TCEQ: Lori Rose, Andy Gardner, Tinicha McKinney

**Action Items from Previous Meetings – Lori Rose, Small Business and Local Government Assistance (SBLGA)**

Provide members with a draft of the new SBAC charter for approval. – Approved.

Ask the NCTCOG to publish an SBAC outreach article in newsletters. – Ken Benson, Lathan Watts as Outreach coordinator.

**Information from Austin –Andrew Gardner, SBLGA Section Manager**

**Legislative update:** SBLGA followed over 90 Bills

- Deadline to pass Senate Bills 5/26/2009
  - SB 16 – Air Bill: TERP/ACT (didn't pass)
  - SB 361 – Power Sources (passed)
- Deadline to pass House Bills 5/27/2009
  - HB 1959 Sunset review – TCEQ will be reviewed in 2011 instead of 2013 (didn't pass)
  - HB 3547 – TCEQ delegated shutdown authority to noncompliant drycleaners (passed)
  - Water fee rules: Waste water fee cap raised to \$100 thousand; will decrease proposed fee increases.
  - Federal Energy Bill
    - Requirement of delivery certificate for PST
    - Require UST investigation every 3 years
  - TCEQ advocated to have leak tightness test for Dry Cleaners updated to catch up to current technology.

**Greenhouse Gas Cap and Trade:** Most bills dead at process

- Commissioner Bryan Shaw of the TCEQ was selected by Governor Rick Perry to serve as a co-chair on the Texas Advisory Panel on Federal Environmental Regulations in late 2008. The Panel developed a report titled, “Potential Impacts to Texas of the Environmental Protection Agency’s Proposed Framework for Regulating Greenhouse Gas Emissions.” In a letter to EPA (November 25, 2008), the governor made the following key points:
  - Governor Perry urged against the proposed EPA framework for regulating greenhouse gas.
  - Regulations (under the Clean Air Act) will have a devastating impact on Texas’ economy and energy industry.
  - Governor Perry recommended encouraging innovation and removing barriers to alternative technology rather than implementing taxes and regulations.
- The TCEQ is currently reviewing two EPA proposals on greenhouse gases.
  - The first proposal deals with mandatory reporting of greenhouse gases. EPA published the proposal on April 10, 2009 and comments are due to EPA on June 9, 2009. The proposal and instructions for commenting can be found here: <http://www.epa.gov/climatechange/emissions/ghgrulemaking.html>
  - The second proposal is a proposed endangerment and cause and contribute finding for greenhouse gases under Section 202(a) of the Clean Air Act. EPA published this proposal on April 24, 2009 and comments are due on June 23, 2009. The proposal and instructions for commenting can be found here: <http://www.epa.gov/climatechange/endangerment.html>
- During the 81<sup>st</sup> Session of the Texas Legislature, the TCEQ has been tracking approximately 30 bills that either directly or indirectly relate to climate change and greenhouse gases.
  - The bills range from requiring TCEQ to set emission standards for greenhouse gases and requiring a cap and trade program to allowing property tax exemptions for geosequestration of carbon dioxide to development of programs to fund new technology implementation for clean energy and geosequestration projects.
  - Most of the bills have died including those that would set emission standards or require cap and trade programs. Bills that fund new technology implementation and geosequestration projects (SB 184) are still alive and moving forward.
- For more information on greenhouse gases you can visit the following websites: <http://www.ghgprotocol.org/> and <http://www.theclimateregistry.org/resources/protocols/>

#### **Stimulus Bill**

- TCEQ given \$10 million for Underground Storage Tank compliance, and \$9 million for the Clean School Bus program
- There are various energy tax credits available. See this website for a summary: [http://www.energystar.gov/index.cfm?c=products.pr\\_tax\\_credits](http://www.energystar.gov/index.cfm?c=products.pr_tax_credits)

#### **SBAC Report to CAP – SBAC Members**

Members did not have any issues to share with CAP representative at this time. There will be a lengthened time slot in the next agenda to report to CAP members before the next CAP meeting in September. Members will be updated when the September meeting date is finalized.

## **Open Forum – Ken Benson, Co-Chairs**

Marcus inquired as to how TCEQ will contract out local governments to help with new Federal Energy Bill to meet requirements of every 3-year investigation requirements. Andy answered that we have discussed contracting with local governments for inability to pay noncompliant USTs.

Dalphine wanted to know if AirCheck Texas was continuing. Andy said yes, the program will continue in Texas as long as emissions inspections are done. There is also a federal program in legislation. SBLGA will provide an update to the SBAC as information is learned. A summary of the bill can be found at this website: <http://www.congress.org/congressorg/webreturn/?url=http://thomas.loc.gov/cgi-bin/query/z?c111:H.R.1550>:

## **Topic of the Day – Environmental Trade Fair update, and PST rules update: Lori Rose**

- Environmental Trade Fair
  - Updated on Trade Fair Statistics from this year.
  - Advertised Enviromentor Program, and mentioned we are in need of waste water and public water supply operator Enviromentors, and any other area of expertise as well. Stacy and David will review EM waiver and comment on how to make it more local government friendly. Kim wants to be added as an EM. A review of the EM program can be found here:  
<http://www.tceq.state.tx.us/assistance/sblga/envimntr.html>
  - Jerry asked about rumors of changing Trade Fair. TCEQ is considering changing either the frequency or length of Trade Fair.
- 2009 New PST Rules
  - New rules apply to updates and maintenance to PST and systems after January 1, 2009.
  - New requirement for spill buckets applies to all PST. Stacy commented that spills around spill buckets are not covered by financial assurance, and therefore cleanup costs come out of pocket.
  - SBLGA is creating a 14 module super-guide to assist PST owners. We will notification to every registered tank owner. Joe mentioned we should consider doing outreach to suppliers as well. SBLGA will let SBAC know when the super-guide is complete (probably around October). We will also hold 10 outreach workshops in FY2010. We have added PST sites to our site visit program as a one-visit program.

## **Review of Action Items and Closing Comments- Ken Benson, Co-Chair**

- Ask the NCTCOG to publish an SBAC outreach article in newsletters. – Ken Benson with Lathan as Outreach coordinator
- Send PST and Auto Salvage and Waste Water deadline dates cheat sheets to committee. – complete

### **Meetings for Fiscal Year 2009**

Wednesday, August 5, 2009 @ 10 am