



Golden Triangle Small Business Advisory Committee

Small Business and Local Government Assistance Section

Texas Commission on Environmental Quality
Tuesday, February 5, 2008, 11:30 a.m.-1:00 p.m.
Southeast Texas Regional Planning Commission
Transportation Conference Room
www.sblga.info

Draft Meeting Minutes

Attendees

Charlie Adams	Lori Palmer
Christine Bergren	Jeff Rogers
Candace Broucher	Rob Rowell
Bob Dickinson	Donnie Stanton
Eddie Hall	Donna Swain

Open Forum

The TCEQ recently held a TERP workshop in Beaumont. Jeff Rogers attended and talked about his experience getting a TERP grant. He later received some phone calls about the TERP rebate grant application. If there is enough interest, TCEQ will have a session in Beaumont to assist people with TERP applications. Candace asked if TERP was geared toward small business. Christine explained that there are funds set aside for small business, but a small business is defined as one with two or fewer pieces of equipment for the purposes of this program. Candace and Jeff had received letters from a consultant offering to help with a TERP application (for a fee.) Using a consultant may be an option for some, but Jeff pointed out that the TERP rebate grant application is simple enough to complete by yourself. Charlie reminded members that TERP grants come with strings attached; they must be used in nonattainment areas for up to 75% of the time and recipients must keep records of miles or hours of use.

Candace described her experience of doing the SOP for her solid waste registration. It was very confusing, referring to many different areas within the rules. Charlie went through the process and simplified it into four steps. When she took the required step in the public notice procedure of calling the Chief Clerk's office, it became confusing to Candace as to what she was supposed to do. She was also concerned about the public notice list. Any entity on the public notice list will be notified about the permitting activities and is allowed to contest them, and this could include competitors. The discussion then turned to public notice requirements for permitting in general. Several members said that it costs from \$350-\$500 to comply with public notice requirements to announce in English and Spanish in the newspaper. Is there anything we can do to make the public notice process less burdensome and costly for small businesses? Candace suggested a committee to preview and clarify letters sent out by TCEQ. She would be interested in participating in a committee such as this.

Jeff Rogers told the group that he had recently been the subject of a TERP program audit. He had to take a day away from his business and bring all of his paperwork to the Houston regional office. He feels that the TCEQ should have met with him at the Beaumont regional office, since

this region is also TERP eligible and non-attainment. Christine said she would look into this issue [ACTION.]

Christine Bergren, Team Leader, Small Business and Local Government Assistance

Christine provided the committee with an update on the new NESHAP rule for surface coating. The new rule was signed in December and they have three years to comply. The final EPA rule is much less restrictive than the proposed rule. There are many opportunities to claim exemptions. We are currently working with Air Permits to assess the impact on small business, and we'll keep the committee posted. Eddie Hall asked how the new rule would apply to dip painting. He will fax us a copy of the MSDS for his paint [ACTION.]

Candace asked who is responsible for the compliance history rules, the state legislature or the TCEQ? It is the state legislature. Candace wants the enabling legislation information [ACTION]. Candace pointed out that recordkeeping issues that do not harm the environment get small businesses into trouble.

Donnie Stanton said that the services of Small Business and Local Government Assistance are greatly needed, but there are still many businesses and local governments that don't know about it; SBLGA needs to advertise more. Is the Comptroller's Office still giving out SBLGA information to new businesses? Christine said she would check on this [ACTION.] Christine also noted that we have many "unofficial" forms available to help small businesses with recordkeeping, and more assistance forms are in progress.

Christine also told the committee that the commissioners are scheduled for a work session on February 29 for Compliance History and Penalty Policy. Two of the three commissioners have changed since these issues were discussed in depth; it could be a good thing for small business that we have new sets of eyes on these issues. Candace pointed out that because small businesses don't pollute much, they don't get that many investigations, which in turn hurts their compliance history scores. Christine replied that investigations are ranked based on risk.

Charlie reminded members that they have the opportunity to make comments at the CAP meeting on February 28. The new commissioners want to hear from small business, not just about small business.

Christine then moved to the topic of the State Implementation Plan (SIP) for the Beaumont area. The area was previously classified as "marginal" and was set to be reclassified to the more stringent standard of "moderate" based upon data from 2004 to 2006. However, after looking at 2007 air quality data (which shows the air quality is improving), TCEQ will request that the EPA designate the area as meeting the standard. The TCEQ will continue communicating with the EPA on this issue. Bob Dickinson explained that in the process of classification, the area must have three years of data to show attainment.

Charlie Adams, Technical Specialist, Small Business and Local Government Assistance

Charlie updated the group on current stormwater issues. The Construction General Permit is up for renewal this spring. Items that may change include possible electronic submission of applications and the definition of a construction site operator. Also, Phase II of the MS4

(Municipal Separate Storm Sewer System) was recently implemented, which affects some small cities in the area. The stormwater plans for this system are due on February 11. For the Multi-Sector Industrial General Permit, your primary SIC code determines whether or not you are required to have a plan. However, the TCEQ reserves the right to require a plan from a business (for example, a business that is getting complaints.)

Candace would like to have a discussion on water quality for the next SBAC meeting. Rob Rowell and Donnie Stanton said they were willing to give an overview on water reclamation plants for the next meeting. Candace also stated that she is still interested in having a commissioner attend a future meeting, but realizes that we may need to plan a meeting around a commissioner's schedule when he is visiting the area.

Candace thanked everyone for attending the meeting and adjourned.

Next Meeting

May 6, 2008 (tentative)
Southeast Texas Regional Planning Commission
2210 Eastex Freeway
Beaumont, Texas

Commissioners' Work Session and Agenda Schedule

February 13, 2008	9:30am	Agenda
February 27, 2008	9:30am	Agenda
February 29, 2008	9:30am	Work Session (Compliance History and Penalty Policy)
March 19, 2008	9:30am	Agenda
April 2, 2008	9:30am	Agenda
April 16, 2008	9:30am	Agenda