

Golden Triangle Small Business Advisory Committee

Small Business and Local Government Assistance Section

Texas Commission on Environmental Quality

Tuesday, March 9, 2010 – 11:30am-1:00pm

Southeast Texas Regional Planning Commission, Transportation Conference Room

www.sblga.info

Draft Minutes

Attendees

Candace Broucher, J & R Services	Jeff Rogers, Rogers Lumber
Bob Dickinson, SETRPC	Heather Ross, TCEQ
Andrew Gardner, TCEQ	Taylor Shelton, City of Port Neches
Linda Gernentz, Indeco Environmental	Donnie Stanton, City of Beaumont
Eddie Hall, Mabry Castings	Sheila Ware, HPP Corporation
Michael Melton, Alternative Waste Management	Will Wyman, TCEQ
Lori Palmer, TCEQ	

Open Forum

During the last SBAC meeting, Jeff Rogers mentioned he had an investigation soon. Heather Ross, the Regional Director for the TCEQ Beaumont office, asked for feedback on the investigation. Jeff said the investigation, the first for his facility, lasted seven hours and was very thorough, based on the field operations checklist. He has resolved all but one of the violations. The sawmill uses a stream of potable water to cool the saw blade. Since this water is considered process wastewater, it needs to be captured so it doesn't mix with stormwater going to the outfall. He is not sure how to handle this issue; Lori and Danielle Doss from Pollution Prevention section of the TCEQ will go to the site next week to assist with this issue. Candace asked what would happen if Jeff does not get this issue resolved before his deadline. Heather replied that if a regulated entity is working toward compliance, not blatantly disregarding the rules, and not posing an eminent threat to the environment, there is room for enforcement discretion if it takes longer to find and implement a solution. Heather also encouraged businesses that are inspected to complete the customer service surveys that are brought to the inspections. She encouraged people to be honest because the agency is looking for ways to improve. Heather also asked any business that are willing to have TCEQ investigators come to their businesses just to learn how the process works (not for an investigation) to call her and arrange it.

Andy Gardner, Section Manager, Small Business and Local Government Assistance

The EPA has proposed lowering the ozone standard to 0.6 - 0.7 ppm. The TCEQ has provided comments to the EPA on the new ozone standard that explain why the agency disagrees with the proposed standard. The Supreme Court has ruled that the EPA is not required to consider the impacts of the new standard on business, but that does not mean that there is no impact.

The proposed greenhouse gas rule affects sources emitting 25,000 metric tonnes or greater, but that threshold will likely increase. Currently only the reporting rule is in effect for greenhouse gases. EPA has indicated that nobody will be required to get additional permits before 2011, and no small business impacts are expected before 2016.

The comment period for the 2010 Texas 303(d) list closed on March 8. This is a list of impaired water bodies in Texas (like a nonattainment list for water). Water bodies and segments may be impaired for different parameters such as dissolved oxygen, bacteria, and mercury. Waters often become impaired for bacteria due to malfunctioning septic tanks. If a body of water is on the list, any permits for discharges to that water body may be more stringent. The Clean Water Act is a current priority for the EPA, so the rules are expected to be more stringent in the future.

The Sunset Review is currently underway for the TCEQ, and there will be an opportunity for public comment in the fall. Sunset review provides an opportunity for the SBAC to let the agency know what it can do to help small business. The committee needs to decide if they would like to comment. The annual CAP meeting will be held in July. Mark Shelton with the statewide CAP will send a letter to all SBAC chairs seeking input. Candace asked Lori to send an e-mail several weeks before the next SBAC meeting asking members to bring their ideas for comments to the next meeting [ACTION.]

Other Items

Linda Gernentz asked about the status of the oil spill cleanup and enforcement for the recent tanker collision and oil spill in Port Arthur. Heather responded that the General Land Office, the Coast Guard, and the TCEQ worked together for the initial response, and cleanup efforts are continuing. The agency is currently evaluating responsible parties, and a letter will be sent once the investigation is complete.

Lori announced the following upcoming events:

- Household Hazardous Waste and Scrap Tire Collection Event, April 17, 8:00 AM – 1:00 PM, Bob Bowers Civic Center, 3401 Culture Center Drive in Port Arthur (Household waste only)
- Texas Water Utilities Association Regional School, April 27-29 in Beaumont
- Environmental Trade Fair and Conference, May 4-5, Austin Convention Center

The next SBAC meeting is scheduled for June 8, 2010.