

Houston Small Business Advisory Committee Minutes

December 19, 2007

Fiscal Year 2008 Priorities

Provide input on TCEQ rules and policies to represent small businesses AND strengthen partnerships with local elected officials.

Welcome and Introductions

Co-chairs J. Kelly Mowry and Jack Holmes were not in attendance. Brian Christian, Section Manager of the Small Business and Local Government Assistance Program presided over the meeting. Mr. Christian called the meeting to order at 10:15 AM., and thanked all participants for their attendance. Each of the 20 participant introduced themselves and business/organization they represented.

Review Actions Items from September 19, 2007 Meeting

Action items (Review/report on HB440 and HB 760) assigned to Co-Chair Holmes were not discussed due to his absence. He reported that both pieces of legislation were killed and never made it out of committees. The sub-committee assigned to review the Environmental Crimes Bill (SB 1265) needs additional time to caucus. They (J. Holmes, D. Arons, R.Schaefer) will report to the SBAC during the March 19, 2008 meeting. Clarence Gray reported on status of City of Houston Ordinances affecting small businesses. Both ordinances have been passed by the Houston City Council. They included the imposition of air quality fees based on type and volume of emission and the Municipal Settings Designation(MSD) enacted to provide (when approved) environmental cleanup relief. Copies of the ordinances were available for members/guest who desired them.

Compliance History and Austin Issues Update

This item was presented by SBLGA Section Manager Brian Christian. He noted leadership changes at the TCEQ Commissioner cluster to include the new Chairman (Comm. Buddy Garcia) and comm.

He briefly discussed the EPA's proposal to lower the Ozone standard from 85 PPB to 75 PPB and the negative effect this would have on cities like Austin, Waco, Longview, and others who are in attainment or near non attainment. He mentioned that EPA has received comments that oppose lowering the standard. There are some air pollution sources that the State cannot regulate i.e. railroads which contribute to the pollution problem. Mr. Christian discussed the Clean Texas Program and its benefits such as recognition, networking, technical assistance (SAV), and regulatory flexibility. Question was asked by CAP member Ken Legler whether Clean Texas membership would be of benefit for businesses operation out to the Country i.e. in Europe. Answer would have to be researched. Compliance History was mentioned in terms of its affect on small businesses primarily due to the small number of inspections (which reduce the score and thus the rating). Mr. Christian mentioned that both the Site Assist Visit (SAV) and Compliance Commitment (C2) Programs have positive impact on Compliance History ratings.

Special Guest: Grace Montgomery Faulkner, TCEQ Ombudsman and Director, Small Business Environmental Assistance Division

Ms Faulkner discussed her background as an investigator. She highlighted the success of the AirCheck Texas, and Clean School Programs followed a short “Drive Clean Across Texas” video promo. When asked, she replied that funds through the Legislative passage of SB2.

Question and Answer Session

This period took the form of a major Compliance History s discussion led by CAP member Ken Legler. Members wanted to draft a letter requesting the Agency consider “counting” SBLGA visits in addition to SAV’s and C2 visits. Members believe this action would help small businesses improve their ratings. Member Harry Durham agreed to draft the letter and get comments from other members.

Recap Action Items and Closing Remarks

1. Subcommittee report on SB 1265 – Crafting and sponsorship of the bill in the next Legislative session
2. Answer to Ken Legler’s question about Clean Texas benefit for businesses operation out of the Country
3. Compliance History comment letter to the Agency

See www.sblga.info to find a full list of compliance tools or www.tceq.state.tx.us/assistance/sblga/sbac.html for membership lists, meeting dates, and directions.

Next SBAC Meeting

March 19, 2008