

Texas Commission on Environmental Quality
Highlights of TCEQ Municipal Solid Waste Management &
Resource Recovery Advisory Council (MSWRRAC)
Meeting, Thursday, April 11, 2024

Attendance

Members Present

Mr. David Yanke
Ms. Risa Weinberger
Mr. Steve Shannon
Mr. Frank Pugsley
Mr. Charles (Chuck) Rivette
Mr. Scott Pasternak
Ms. Cheryl Mergo
Mr. Jeffrey Mayfield
Judge David Dillard
Mr. Richard Abramowitz
Ms. Jennifer Lutz
Mr. Brocke Lively

Members Absent

Mayor Ralph Gutierrez
Judge Hoppy Haden
Mr. Scott Trebus

TCEQ Staff Present

Ms. Charly Fritz
Ms. Megan Henson
Ms. Anna Lleras
Ms. Savannah Rains

Ms. Madison Howard
Mr. Santos Olivarez
Ms. Jarita Sepulvado

Archived Webcast of the Meeting

The meeting was held online using MS Teams Webinar. The archived webcast of the meeting is available at [MSW Management and Resource Recovery Advisory Council—April 11, 2024 - YouTube](#).

Welcome and Introduction of Members and Guests—Mr. David Yanke, Council President

- Council members and TCEQ staff introduced themselves.
- Ms. Lleras took roll for the council members.

Waste Permits Division (WPD) Update—Ms. Charly Fritz, Deputy Director

- Sunset Implementation
 - WPD continues to work on creating a reporting system for recyclers and some scrap tire facilities to annually update their operating status. The new system will be through STEERS. The new system will go into effect by the end of the year.
- EPA had two proposed rulemakings regarding PFAS.
 - The first rulemaking will add nine PFAS substances to the list of hazardous constituents. MSW landfills will not be impacted by the rulemaking.
 - The second rulemaking proposes a change to the definition of hazardous waste to allow for more seamless corrective action activities.
- EPA released an updated interim guidance document for destruction and disposal of PFAS and PFAS containing material. The guidance provides all available information on the destruction and disposal of PFAS and provides a framework or guidance on evaluation emerging technologies. The guidance document discusses three main disposal methods: thermal destruction, hazardous waste landfill, and underground injection. The comment period is 180 days.

Municipal Solid Waste (MSW) Permits Section Update— Ms. Megan Henson, Section Manager

- Staffing & Projects
 - Two MSW vacancies; one geoscientist and one engineering position.
 - 24 permit and six registration applications are currently under review.
- MSW tested a new style of public meeting. Formal comments were still taken in the same format, however, during the informal comments, TCEQ tried a “town-hall” format. This style allowed for more one-on-one interactions between all parties. The new format may be used again in the future to encourage more productive public meetings.
- MSW will hold a data sources webinar on May 8, 2024. The webinar’s aim is to promote resources available to the public and how to use those resources.
- Trade Fair is on May 14th and 15th. MSW will present on day one of trade fair.
- MSW is working on updating the process for posting applications online. The applicant will no longer have to post their application on a provided URL. MSW will publish notice documents, an administratively complete version, major revisions, and a technically complete version for all major applications. The new process will begin in June.

Business & Program Services Section Update – Mr. Santos Olivarez, Manager, Business and Program Services Section

- Two applications were submitted for the Advisory Council. Both applications were for an elected official from a municipality with a population less than 25,000. Going to commission agenda April 12th for action on the nomination.
- Two Advisory Council vacancies: elected official from a municipality with a population 750,000 or greater and elected official from a municipality with a population 100,000 but less than 750,000.
- SWIFR Grant Update
BPS is working on drafting contracts for each of the five COGs that are receiving funds through the SWIFR Grant.

HB 3060 Implementation and Very Small Quantity Generator (VSQG) and Manifest Updates – Ms. Jarita Sepulvado, Rule Liaison, Waste Permits Division

- HB 3060 Implementation
 - The draft rule proposal will be taken to the Commissioners' Agenda for approval. If the proposal is approved, the rule proposal will be published in the May 24 Texas Register.
 - The 30-day public comment period for the rule proposal will begin on May 24, and a hearing for the rule proposal will be held on June 20. Adoption agenda will take place in October.
 - Changes to 30 TAC Chapter 330 are mostly limited to the definitions section, however changes are proposed in a few other sections as well.
 - A new subchapter is proposed for Chapter 328 to address advanced recycling requirements, including mass balance attributions and third-party certification systems.
- Very Small Quantity Generator (VSQG) and Manifest Updates
 - RCRA rule updates replaced the term conditionally exempt small quantity generator with the term very small quantity generator.
 - The episodic generation program was implemented to allow a VSQG to maintain their status as a VSQG when they generate hazardous waste over their allowed limit because of a one-time event per calendar year. The episodic waste may not be sent to an MSW landfill.
 - An electronic version of the Uniform Hazardous Waste Manifest was introduced along with associated fees. Users of the manifest – including receivers – are charged a fee based on how the manifest is submitted. The proposed rule change in Chapter 330 addresses these updates.

TxSWANA 2024 Highlights — Mr. David Yanke, Council President

TxSWANA was hosted in San Antonio during the first week of April. The conference was well attended. Some vendors presented on technologies available for treating PFAS.

Approval of January 11, 2024, Meeting Highlights

Judge Dillard made a motion to accept the meeting highlights. Mr. Jeff Mayfield seconded the motion, and the highlights were approved by the council.

Action Items

No action items.

Public Comments

No public comments.

Next Meeting

July 11, 2024