

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

Attendance

Members Present

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

Members Absent

Judge Hoppy Haden
Judge David Dillard
Mr. Ralph Gutierrez

TCEQ Staff Present

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

Mr. Santos Olivarez
Ms. Melissa Harrison
Mr. Chance Robinson
Mr. David Munzenmaier

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—July 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

- A presentation on per- and polyfluoroalkyl substances (PFAS) was held in late June for members of the council. The presentation covered the current rulemakings happening in regard to PFAS. Most of the rules are currently affecting water, not waste. However, there are two RCRA and CERCLA rulemakings that could impact hazardous waste sites that go into corrective action. While the focus is on water right now, there may be waste related rulemakings in the future.
- Sunset Implementation
 - New applications are now being posted online by TCEQ rather than by the applicant. TCEQ will now ask applicants for an administratively and technically complete copy to post online.
 - A process for reporting on the status of open-ended permits is currently in the works. Notice of Intent (NOI) authorized facilities, scrap tire facilities, and land reclamation projects using tires (LRPUT) will begin to report their operating status through the State of Texas Environmental Electronic Reporting System (STEERS) by the end of the calendar year. A training will be held to walk applicants through the new system.
- Hurricane Planning
 - Office of Compliance and Enforcement requests, if possible, for MSW facilities to contact their region office and provide a facility contact as part of planning for big emergency events.

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

- Staffing & Projects
 - One MSW vacancy;
 - 26 permit applications and six registration applications are currently under review.
- Posting Applications
 - To checkout the pending application page go to tceq.texas.gov/goto/wasteapps.
- Trade Fair Highlights
 - Great turnout to MSW presentations.
 - The section will begin planning for presentations for next trade fair in December. Trade Fair 2025 will be held in San Antonio.
 - Applications are being accepted through August 30 for the Texas Environmental Excellence Awards.
 - If you have questions reach out to awards@tceq.texas.gov

- Emergency Temporary Authorizations (ETAs)
 - ETAs are a mechanism for facilities to suspend permit or rule requirements in response to a natural disaster. The approval depends on the facility conditions and nature of the storm. These authorizations allow MSW facilities to recover and open after a storm as soon as possible.
 - Send ETAs to the MSW proxy box, MSWPER@tceq.texas.gov
- Landfills in Post-Closure Care (PCC)
 - Six landfills will meet the end of their 30-year PCC period within the next five years.
 - Landfills are not required to exit PCC if they do not meet certain conditions. Draft guidance for how to exit post-closure care is still under review.

Business & Program Services Section Update – Mr. Santos Olivarez, Manger & Ms. Melissa Harrison, Team Leader, Business and Program Services Section

- SWIFR Update
 - All five contracts are with Council of Governments (COGs) for signature. The deadline for approving contracts is August 1. The Quality Assurance Project Plan was approved by EPA. Three projects will be focused on diversion of food waste at schools. One project will focus on developing a tool kit for recycling facilities. One project is focusing on developing a tool kit for managing commercial waste.
- [2023 Scrap Tire Annual Report Data](#)
 - The scrap tire program manages about 50 million discarded tires in Texas per year, regulated under 30 TAC Chapter 328.
 - There are six registration types including generators, transporters, storage sites, scrap tire facilities, LRPOT, and transportation facilities. Only transporters, storage sites, and scrap tire facilities are currently required to report. Of the facilities required to report annually, only about 250 of the 580 typically report.
 - The most common end uses for scrap tires between 2019 and 2023 were tire derived fuel or crumb rubber. Landfilling accounts for just below 20% of the final destinations for scrap tires.
 - There are still many unauthorized scrap tire sites throughout Texas of varying size and risk. TCEQ Region staff conduct frequent investigations to keep track of activity at these sites.

MSW Landfill General Operating Permit Rulemaking (Air GOP No. 517) – Mr. David Munzenmaier, Technical Specialist, Air Permits Division

The Federal Operating Permit Program (FOPP) is a blanket program for air sources in Texas, regulated under 30 TAC Chapter 122. General Operating Permits (GOPs) fall under the FOPP and are used for facilities who meet certain requirements to avoid having to write a new permit line by line. MSW landfills that meet the applicability criteria may apply for an authorization to operate under the GOP. The GOP must be renewed by the facility every five years. TCEQ also updates the GOP every five years. These five years may not be on the same timeline.

The current rulemaking for the MSW landfill GOP was initiated in July 2023. The proposal publication will be August 16, 2024; the public comment period will start the same day and end on September 16, 2024. The effective date of the rulemaking is set for February 2025.

Disaster Debris Management – Ms. Michelle Havelka, Homeland Security Coordinator, Critical Infrastructure Division

This presentation is postponed to a later date due to Hurricane Beryl.

Approval of April 11, 2024 Meeting Highlights

Frank Pugsley made a motion to accept the meeting highlights. Scott Trebus seconded the motion, and the highlights were approved by the council.

Action Items

- No action items.

Public Comments

- No public comments.

Next Meeting

- October 10, 2024