

**March 1, 2001 Meeting of the Houston Ship Channel Dioxin  
TMDL Stakeholder Group**

**Stakeholders Present:** Chris Barry, Dana Blume, Ralph Calvino, Scott Jones, Pam Kroupa, Trent Martin, Ed Matuszak, Chris Sappington, Linda Shead, Luis Sueiro, Lial Tischler, Jack Wahlstrom, Bob Wood

**Stakeholders Absent:** Henrietta Allen, Charles Beckman, Linda Broach, Erwin Burden, Michael Collins, Ronald Crabtree, Winston Denton, Brad Ellis, Laura Fiffick, Tracy Hester, Guy Jackson, Kristy Morten, Juan Parras, Donna Phillips, Tina Proctor, John Westendorf, Kerry Whelan, Kirk Wiles, Woody Woodrow

**Support Team Present:** Paul Jensen, Larry Koenig, Carl Masterson, Randy Palachek, Hanadi Rifai, Yu-Chun Su

**Others Present:** Mike Bloom (Roy F. Weston, Inc.), Marty Kelly (TNRCC-Houston), Todd Running (H-GAC), Diane Sheridan (Patrick Bayou TMDL), Jeff Taebel (H-GAC), Mike Weeks (TPWD), Chuck Wemple (H-GAC), Dr. Carl Zhang (UHCL)

**Materials Distributed:**

- May 3, 2000 and January 16, 2001 meeting summaries
  - Lial Tischler comments on Draft Phase II Work Plan
  - Dr. Rifai's PowerPoint presentation
  - Dioxin TMDL Draft Phase II Work Plan (Emailed to stakeholders 2/23/01)
  - Specific Analyses Matrix (from Phase II Work Plan)/
  - TNRCC document - Roles and Responsibilities
1. The meeting for the Houston Ship Channel Dioxin TMDL Stakeholder Group was held from 1:30-4:30 PM at the University of Houston-Clear Lake (UHCL), 2700 Bay Area Blvd., Houston, Texas 77058, Bayou Building 1st Floor, Forest Room. Pris Weeks of the Environmental Institute of Houston (EIH) welcomed the group. Self-introductions were made. Meeting agenda items were re-ordered and approved.
  2. The May 2000 meeting summary was approved without further changes. The January 2001 meeting summary was approved with changes. Revised ground rules were reviewed and approved with changes. It was decided that guests would be seated separately from stakeholders as space permits.

Prior to the meeting, **Pris Weeks** received a request from John Westendorf of Oxy Vinyls to join the stakeholder group. Stakeholders unanimously approved his membership.

3. **Hanadi Rifai** presented the Phase II Work Plan. She stated that they would like input from the stakeholders. Changes can be made to the work plan if necessary. Refer to the presentation slides (emailed to stakeholders prior to meeting) for content of the presentation. *Contact Lisa Gonzalez for additional copies of the presentation slides.*
4. **Lial Tischler** reviewed his comments on the Phase II Work Plan. These comments were distributed to support staff prior to the meeting. Hard copies were distributed to stakeholders at the meeting. **Rifai** agreed to try to incorporate the comments into the Work Plan. Additional comments on the work plan should be emailed to Dr. Rifai ([rifai@uh.edu](mailto:rifai@uh.edu)) by March 15, 2001. When sending comments, stakeholders were asked to CC Pris Weeks ([weeks@cl.uh.edu](mailto:weeks@cl.uh.edu)).

There was some discussion regarding the various models that are available.

5. **Weeks** then asked for comments regarding the TMDL process flow chart (distributed at 1/16/01 meeting) and the TNRCC clarification of the stakeholders' roles and responsibilities (TNRCC handout).

**Linda Shead** stated that there seems to be a misunderstanding of the stakeholder process. She expressed a concern regarding the description of the stakeholder group. The present description is of an advisory group rather than a stakeholder group. She added that while everyone agrees that the TNRCC has final legal authority, a solution would be more powerful if developed through the stakeholder process. **Ed Matuszak** agreed with Shead's statements.

**Larry Koenig** reiterated TNRCC's ultimate responsibility. He stated that although the TNRCC is interested in stakeholder input, the agency must make the decision in the event that consensus cannot be reached or if stakeholder recommendations are not legally or technically feasible.

**Tischler** stated that stakeholders can make recommendations, but the Commission may or may not accept them. **Shead** asked if the group would be making recommendations. **Koenig** clarified by saying that TNRCC staff will consider stakeholder inputs, regardless of whether consensus is reached or not, in drafting a TMDL, and will try for the best balance between stakeholder positions and legal/tech limitations. The Commission will decide what is in the final TMDL. Whether specific elements originated from stakeholders or staff is not really an issue unless stakeholders and staff are in disagreement, in which cases staff recommendations are more often in line with Commission perspectives.

**Weeks** then directed attention to the final steps of the TMDL process flowchart. She asked how the stakeholder process would affect that portion of the process. **Koenig** replied that the TMDL allocation would be submitted to the EPA for approval. The TNRCC is responsible for approval of the implementation plan. **Weeks** added that this would be happening simultaneously.

**Koenig** clarified by saying that under current regulations, the EPA approves the TMDL allocation not the implementation plan. The TNRCC will not wait for EPA approval of the TMDL allocation to develop the implementation plan. Implementation plan development is expected to follow a course similar to TMDL development, including stakeholder coordination and public comment hearings, although all the procedural details are not yet established.

**Randy Palachek** suggested sending something in writing to the TNRCC letting them know that there is a problem with the wording describing the stakeholder roles and responsibilities.

**Shead** agreed with this strategy and also suggested that the group operate as a stakeholder group and send recommendations to the TNRCC regardless of whether or not those recommendations are considered. **Shead** stated that it was not necessary to decide about either sending a letter or acting as a stakeholder group at this meeting. She asked the group to consider both options.

**Koenig** stated that the Legislature is in session and is tightening up on the flow of money. Biennial funds must be spent by August 2001. The TNRCC is unsure as to how this will affect this particular TMDL's work plan. **Palachek** asked if any funds were left for this biennium. **Koenig** was unsure - there may be some. His main concern was funding over the next two years.

6. **Weeks** then led a discussion on when to have the next meeting. She asked Rifai when she would have more information or an issue for the stakeholders to consider. **Koenig** replied that the group could discuss more model selection. It was agreed that the next meeting would be held later in the summer.
7. Adjourn