



**Illicit Discharges and Dumping Workgroup
Meeting Notes
Thursday, February 15, 2012
10:00 am to noon
H-GAC Conference Room B, Second Floor**

Attendees

Pat Buzbee (Montgomery County, on phone), Richard Chapin (City of Houston, on phone), Roy Elizondo (Montgomery County), Tom Gall (White Oak Bayou Association), Frank Green (Montgomery County), Denise Hall (Harris County), Anita Hunt (Hunt & Hunt Engineering Corp.), Diane Jones (Harris County), Carole Lamont (Harris County), Rachel Powers (H-GAC), Mary Purzer (AECOM, on phone)

Discussion

Overview

The Implementation Plan is still undergoing internal review at TCEQ. TCEQ has not formally requested any changes to the document. Informally, TCEQ requested modification to the inside cover pages, which were made without changes to content.

The annual report will contain information about progress on activities identified in the Implementation Plan. The workgroup will be an important means for collecting information about implementation.

Review Progress. Items identified in the discussion will be included in the annual plan.

IA 6.1: Detect and Eliminate Illicit Discharges

- Measureable Milestone: Initial surveys shall be completed within ten years.

On May 17, 2012, H-GAC hosted a Clean Waters Initiative on the topic of illicit discharges.

MS4 Operators are required to map their storm sewer system, develop techniques for detecting illicit discharges, and establish enforcement procedures for removing the source of illicit discharges. Based on a review of annual reports, most MS4 operators have regulatory mechanisms in place at this time and procedures for detecting illicit discharges. However, almost none of the year three annual reports indicate the number of illicit discharges detected.

IA 6.2: Improve Regulation and Enforcement of Illicit Discharges

- Measureable Milestones:
 - Compile and share all existing regulations in project area within five years
 - Each community shall examine their regulations and policies within five years
 - One community shall adopt new or revised regulations every five years



Many of the Phase II operators have implemented new regulations as a requirement of the permit. However, H-GAC has not begun compiling existing regulations or tracking whether those regulations have been revised.

IA 6.3: Monitor and Control Waste Hauler Activities

6.3.1—Develop regulations pertaining to waste hauler activities

6.3.2—Waste Hauler Fleet Tracking Pilot Program

- Measureable Milestones:
 - Compile and share all existing regulations in project area within five years
 - Each community shall examine their regulations and policies within five years
 - One community shall adopt new or revised regulations every five years
 - One waste hauler fleet tracking pilot program shall be started within five years

H-GAC has not begun compiling existing regulations or tracking whether those regulations have been revised. H-GAC has not identified an appropriate funding source for the pilot program, although it continues to look.

Identify Priorities

The workgroup indicated that they would like to see a focus on waste haulers. When officers conduct inspections at restaurants, the manager/owner almost never has any record of having the grease traps cleaned. This led to a discussion of accountability relating to liquid waste haulers, and requirements for manifests and trip tickets.

Activities on which to focus:

- Compile regulations pertaining to liquid waste haulers.
- Identify registered haulers in the region.
- Identify entities with environmental enforcement officers/units.
- Possible training for prosecutors, attorneys, judges, and law enforcement, with a focus on obtaining CLEs for prosecutors and attorneys and possibly TCLOSE credit for law enforcement. H-GAC's environmental enforcement circuit rider program was very successful and offered several workshops. [<http://www.h-gac.com/community/waste/enforcement/ecrp/default.aspx>.] Rachel will follow up with Roger Haseman at Harris County.
- Identify ways to make waste hauling more accountable. The group discussed manifest/trip ticket requirements for grease haulers and for OSSF waste haulers, and Rachel said she would look into the requirements.

The group also determined that, at the annual meeting, it would like to ask the BIG to petition TCEQ to require OSSF owners to keep manifest receipts/trip tickets for three years. (Three years was chosen because it mirrors documentation requirements for other programs.) This should be brought up at the OSSF workgroup meeting for concurrence. Harris County attorney's office recently asked staff for recommendations regarding potential legislative action for the next Texas Legislature; HC staff will suggest this action to them internally.

Discuss potential additions to the annual report and modifications to the I-Plan

The group did not recommend any changes to the BIG.

Rachel will include a discussion of trip tickets at the OSSF workgroup meeting in March.

The group did indicate that it would like to ask the BIG to petition TCEQ to require OSSF owners to keep manifest receipts/trip tickets for three years.

Wrap-up

Rachel will provide notes for the meeting, including links to documents referenced in the discussion. She will draft the report on construction for the annual report and provide it to the workgroup for consideration before the report is provided to the BIG.

BIG Annual Meeting: May 22

Adjourn