



NSPS, EG, & ANPRM. What does it all mean?

by Paul Gosselink

On July 17 of this year, the EPA put forward two rule packages as part of and in support of the President's Climate Change Initiative. The announced goal of these two rule packages was to reduce methane emissions from landfills. The first of the two rule packages related to New Source Performance Standards (NSPS) for new landfills. The second related to existing landfills which are covered by "rules" called Emission Guidelines (EG). The NSPS rules were in draft form. The EG rules were even earlier in the process. They were at a stage called the Advance Notice of Proposed Rulemaking (ANPRM).

TXSWANA has actively commented on various proposed EPA and TCEQ rules over the years on behalf of its membership. Traditionally, this exercise involves reviewing a proposed rule put forth by the regulatory agency because the agency has determined that its proposed rule reflects the goals it

wants to accomplish. In this case, the EPA just asked for comments on concepts. On the one hand, the exercise was more of an exchange of ideas than normal. On the other hand, TXSWANA strongly anticipates that these two rules, once refined to final form, will be adopted. The timing will likely be sequential. The NSPS proposed rules will become final draft rules most likely in the spring. Although the ANPRM publication is even more of a request for input rather than comment, TXSWANA focused its efforts on commenting on the NSPS rules because it firmly expects that whatever precedents are established as to new landfills by the NSPS rules will carry forward to existing landfills once the ANPRM becomes a draft rule and then a final rule.

TXSWANA provided twelve pages of detailed comments. They can be reviewed on

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Message from the President

by Ellen Smyth

Dear Fellow TXSWANA Members:

I want to express the gratitude and the honor that I feel for being selected to serve you as President for the next two years. For those of you who may not know me as well as the Board does, I wanted to take this time to tell you a little bit about myself.



I was born and raised in El Paso and I am the 7th of nine children. I have seven brothers and one sister—and my twin brother lives in Santa Fe. My parents are both alive and well and in their 90's. I have been married 32 years to Frank and we have one daughter Marie who lives and works in Austin. I am a graduate of Texas A&M University with a degree in Civil Engineering and I have a Master in Public Administration from NMSU. I have a second Master in Theology from Loyola University, New Orleans. I have been the Director of Environmental Services for the City of El Paso for 10 years and prior to that I was the Director of the Solid Waste Authority in Las Cruces, NM for 8 years, a landfill engineer for Waste Management for 3 years and an environmental engineer for Eastman Kodak for 9 years.

I hope to use all of my education and years of experience to promote TXSWANA around the State as well as nationally. As the organization moves forward, we all benefit from the efforts of the entire body. We have HUGE talent in our Board of Directors and I will highlight their bios in future newsletters so you can get to know them as well.

Solid Waste is always a hot topic in the legislative sessions and the 2015 session opens in January. As always, the firm of Lloyd Gosselink Rochelle & Townsend, P.C.'s will represent TXSWANA as our lobbyist and as our legal support so that we are all able to be in front of any controversial bills or requests for testimonials related to our jobs in the solid waste industry. If you or your municipality has any requests for legislative changes related to solid waste, please let any of the board members know.

One last note: The annual TXSWANA conference will be held in El Paso April 16-18, 2015. Please save the date as more details will be coming soon.

Ellen Smyth



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the TXSWANA website. In developing its comments, TXSWANA collaborated with SWANA and with various private industry associations. The Board retained Matt Stutz of Weaver Boos Consultants and Paul Gosselink of Lloyd Gosselink to craft these comments. We encourage all members interested in a more detailed understanding to go to the website.

The key specific feature of the NSPS proposal was to reduce the threshold for triggering the requirement to install a gas collection and control system (GCCS) from 50 Mg/yr to 40 Mg/yr. TXSWANA objected to this reduction. First we pointed out that there has been no scientific or technical study or analysis that 50 Mg/yr is not the appropriate standard – one that both balances the goal of reducing methane emissions against the cost of attaining the standard selected. Second, we pointed out that the EPA overlooked the additional cost that will be incurred if the reduce trigger of 40 Mg/yr is implemented on existing landfills that have closed, have decommissioned, or are in the process of decommissioning their GCCS systems in accordance with the current 50 Mg/yr standard. We pointed out that the cost of having to maintain, or worse yet, recommission or shut down a GCCS system because that system's threshold emissions were, for example, 48 Mg/yr would be significant and would provide little upside for a potentially high cost. On the other hand, TXSWANA supported the expanded use of surface emission monitoring (SEM) as a meth-

odology to better determine what the actual emissions are so as to more intelligently determine when a GCCS system is needed. TXSWANA also supported the designation of open flares as the Best System of Emission Reductions (BSER) for methane control at landfills.

TXSWANA disagreed with the EPA's proposed idea to expand specific monitoring over every cover penetration. We also requested that the current 15 year requirement to operate a GCCS be removed and replaced with a mechanism tied to our idea about surface emission monitoring. We also commented negatively on the EPA's redundant reviews; especially when design plans need to be changed due to higher operating values (HOV) in gas wells for a temperature, nitrogen or oxygen concentrations of landfill gas. We generally supported exempting C&D waste from the definition of household waste, the continued investigation of the use of bio-covers or biofilters as methane emission controls, and the continued use/approval of October 9, 1993 as the trigger date for when a landfill becomes subject to the EG.

We attempted to provide a balanced set of comments – supporting some, criticizing others and suggesting further ideas. Additional comments as these rules progress will be likely. If any members have questions regarding these two rulemakings, please contact either Paul Gosselink at 512-322-5806 or Matt Stutz at 817-735-9770.

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For more information on sponsorship opportunities or attending the conference please contact **Ellen Smyth** at (915) 212-6060 or at smythea@elpasotexas.gov, or **Gloria Duran** at (915) 212-6091 or at durangx@elpasotexas.gov.

The Lone Star



2014 TXSWANA Jack C. Carmichael, P.E. Scholarship Winners



The TxSWANA Scholarship committee recommended, and the TxSWANA Board of Directors approved the following individuals for Scholarships.

Congratulations to each !!!

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Arlington, TX*



[Ms. Kathleen Carlton](#)

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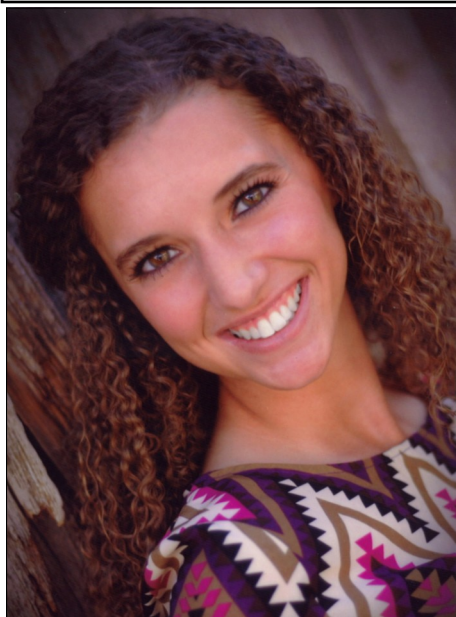
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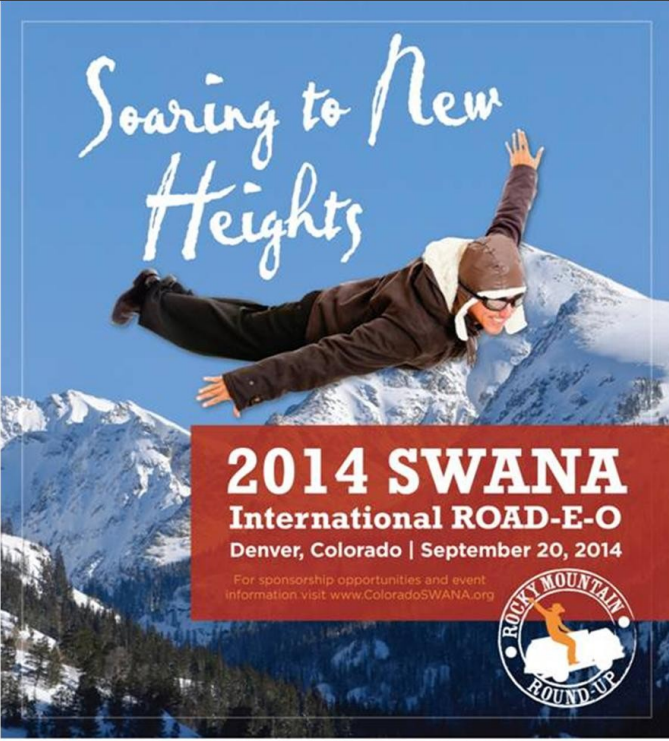
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The Board of Directors wants to express our sincere appreciation to Brenda Haney. Brenda was a key component in the recent SWANA WasteCon conference and show held in Grapevine during the month of August, 2014. Brenda and her team worked tirelessly, and their crowning achievement resulted in a fantastic Networking Event. The Networking Event was held at the Gaylord's Glass Cactus Nightclub, complete with welcome gifts, food, live band, and dancing. The event was highly praised and SWANA members across the country shared their appreciation through the end of the WasteCon program & show.

Your efforts did not go unnoticed, and you have brought honor upon the Texas Lone Star Chapter. We are deeply grateful!

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Texas Recycling Data Initiative: Statewide Survey Seeks to Quantify Recycling Activity

A statewide survey will be launched October 15 that seeks to quantify the amount of recycling occurring throughout Texas. Called the Texas Recycling Data Initiative (TRDI), the survey's goal is to give Texas policy makers the information they need to examine the economic, environmental and policy issues of interest to Texas businesses, citizens, and governmental agencies.

Survey results will be made available to the 84th Texas Legislative Session that begins in January 2015. Survey data will allow the legislature to evaluate the costs and economic benefits of recycling.

The effort is led by a consortium of many organizations, including TxSWANA, and the following organizations: American Forest and Paper Association, Carpet America Recovery Effort, Carton Council, Construction and Demolition Recycling Association, Cooperative Teamwork and Recycling Assistance, Curbside Value Partnership, Electronic Resource Recovery Council (STAR), EPA Region 6, ISRI - Gulf Coast Chapter and Scrap Tire Chapter, NAHMMMA, National Waste and Recycling Association, Recycling Council of Texas, State of Texas Alliance for Recycling (STAR), Texas Association of Regional Councils, Texas Coal Ash Utilization Group, Texas Commission on Environmental Quality, Texas Compost Council (STAR), and Texas Retail Association.

"For Texas, this is truly a game-changing effort because there is currently no comprehensive or statewide information collected on the amount of material recycled in the state," said Maia Corbitt, STAR's executive director. "This means that when it comes to market expansion, infrastructure development, and public policy issues, both businesses and government entities are flying blind, and that's not good for Texas or its economy."

"With so many cities and businesses focused on recycling in the State of Texas, this project provides a great opportunity to objectively establish the recycling rate for Texas," says Scott Pasternak, the project manager for Burns & McDonnell, an environmental services firm that is overseeing the survey process.

A collaborative and voluntary process, the survey will focus on data from processors and end users

of recyclables, and will include a variety of protocols to prevent double counting. TRDI will also utilize a confidential approach to ensure that proprietary business data is protected.

TRDI seeks to measure not just the amount of material being recycled, but the types of material and the places where those materials are being recycled. In addition to tracking traditional recyclables collected, the project will gather data on organics, construction and demolition material, electronics, and household hazardous waste.

The results will highlight what recyclables are under-collected or under-processed. This information will allow communities to advocate for increased infrastructure and education. In areas where Texas is excelling, the study will validate current recycling efforts and the funding for these programs.

The data also will quantify, for the first time, the number of jobs created by the recycling industry and will highlight the potential for even more jobs to be created as the industry grows in Texas.

The TRDI Steering Committee, which is comprised of stakeholder representatives from the public, private, governmental, and nonprofit sectors, underwent a competitive bid process for the survey development and dissemination and retained Burns & McDonnell, a firm that specializes in environmental studies and consulting services.

"In a growing state with the second-largest population in the country, we need to take a serious look at what that population expends as waste, when instead it could and should be the next great resource boom for Texas," Corbitt says.

Thus far, TxSWANA and member cities Austin, Fort Worth, San Antonio, Corpus Christi, Denton, and Plano have contributed or pledged funding to complete the project. Additional industry organizations that have funded the study include STAR, Construction & Demolition Recycling Association, Recycling Council of Texas, Society of the Plastics Industry (SPI), Texas Coal Ash Utilization Group, Carton Council, Curbside Value Partnership, Steel Recycling Institute, and the American Forest & Paper Association.



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Seven Steps in Recognizing Workplace Violence

by David Vartian, City of University Park, Texas



As solid waste professionals, we are not sheltered from the possible. The possible success, the possible inquiry, the possible injury.....the possible.... We consistently plan our work strategies for many possibilities. We strive to foster cultures where continuity of operations is a given during times of turbulence, we implement succession planning policies and procedures so that our operations and grow and foster, we strive to learn new techniques to promote efficiencies that include practices that champion a decrease in both injuries and accidents. However, what we do not do well, is to focus on an area that has seen a growth in concern.

According to the Bureau of Labor Statistics Census of Fatal Occupational Injuries (2009), 521 of the 4,349 fatal work related injuries were classified as workplace homicide. That is 12%, which is frightfully astounding. This is workplace violence in its most extreme form, the *FOURTH* leading cause of fatal work injuries. With a recent increase in workplace assaults, many work settings have observed the environmental conditions associated with workplace violence, identified them, and implemented control strategies to work to prevent these incidents from recurring.

The Occupational Safety & Health Administration (OSHA) has released a series of guidelines and recommendations involving workplace violence to the public. However, OSHA has yet to initiate official rule-making or create a true set of standards for these situations. Over 25 states have adopted their own OSHA approved standards and enforcement policies.

Workplace violence has been defined as “incidents where people are assaulted, abused or threatened in circumstances relating to work. The level of violence is typically classified as the behavior with the potential to cause harm. When workplace violence situation occurs it can cause a challenge to worker safety, health and well-being.

Workplace violence can be separated into three broad

categories:

- The lowest form is “non-physical violence” in which the assaults are primarily verbal.
- The second form is “physical violence,” is used in reference to fights in which no additional weapons are used.
- The third and most dangerous form is “aggravated physical violence” in which violent acts are committed with the use of an item or weapon, such as a gun, knife or even work related objects.



Regardless of the intensity, any form of violence should be seen as harmful to both the company and its workers. Verbal abuse can cause tension, increase stress or lead to more dangerous situations with staff. On the business side workplace violence will decrease value, staff morale and even public image. These are the possible risks along with the necessary financial compensation which comes when injuries occur within the organization. If negligence can

be proven as a factor leading to a violent act, the company can come under legal attack and face large fines, compensation payments and higher insurance costs.

The optimum way to decrease workplace violence is to prevent it from happening. It is important to know why these violent outbreaks typically occur. While it should seem as a last result to many, violence is seen as a ‘functional’ behavior in psychological terms, meaning it is a way someone can get what they want, or the act provides them with some

(Continued on page 14)



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(continued from Page 13) tangible benefit. What they want to accomplish can range from influencing others to calling attention towards themselves.

The best course of action in reducing workplace violence occurrences is to build a culture of safety within the office and promote physical and mental well being. These acts can lead to a less stressful environment and potentially preventing workplace violence. Beyond prevention the next best step is to be able to “recognize” or observe a situation that can potentially escalate into a violent issue. Typically there will be an increasing set of clues that precede an act of violence; unfortunately, these clues are often ignored thus escalating the chance of an outburst.

The following 7 behaviors can be seen as potential ‘Warning Signs’ that may lead to eventual workplace violence. Recognizing these occurrences and properly addressing them will exponentially increase workplace safety:

1. If a worker has a chemical dependence with any alcohol or drug which can cause an increase in paranoia or aggressive behavior
2. Requiring repeated instruction, repetition of errors and other concentration problems can be signs of a troubled employee
3. Depression can lead to outbursts so it is important to watch for signs of depression including a slowed work pace, blank facial expressions, inappropriate guilt/shame, etc.
4. If the worker has a history of violence
5. Negative reactions to poor performance reviews, especially if the individual cares a great deal of the work they are doing

6. Romantic obsessions which may lead to inappropriate behavior such as multiple phone calls, stalking and unwanted visits
7. Any form of verbal threat or other activity that is seen as ‘out of character’ for a co-worker

If any of the above signs are noted from fellow employees it is critical that you speak with your employer and disclose any potential risks to the company. Once the employer is made aware of the situation it is best to develop a plan to relax the situation or calm the troubled employee down. The first job of any worker is to always **be aware and be ready**.

Recognizing workplace violence behavioral tendencies is critical in reducing the number of workplace violence instances. It all begins when a new employee enters the company. Are they taught to observe and encouraged to report unusual occurrences? Are plans in place to assess the situation? These are questions an employer must ask themselves. Wherever they may find deficiencies it is of immediate importance to find a solution to the problem.

Safety in the workplace is everyone’s concern. The health and welfare of our teams are essential for us to realize the success that we strive for. The growth and development of a sound safety culture is in the best interest of everyone and understanding the concerns and issues involving *Workplace Violence* is one area that can make a positive impact.



Yours in Safety,
David Vartian

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Continuous Education for Landfill Employees: A Way to Succeed

By Takele Dinka, City of Dallas

Properly managed landfills play a significant role in keeping the environment clean and safe for current and future generations by safely and efficiently disposing of wastes. Among the Municipal Solid Waste facilities in the United States, the City of Dallas McCommas Bluff landfill (MBLF) has been protecting the environment since the early 80's. According to the 2013 MBLF report, the MBLF processes about 1.4 million tons of waste every year, which provide a revenue for the city of \$18 to \$21 million annually. The landfill also generates an economic benefit by harvesting a waste by-product and converting it into a clean energy. Dallas Clean Energy, LLC collects about 9 million cubic feet of landfill gas from MBLF daily, which provides the city with ~\$2.1 million per year of revenues on royalty.

Apart from the efforts that have been made to safely dispose wastes, a landfill is extremely complex as it involves biological, chemical and physical processes and regulatory steps to process the wastes into economically beneficial and environmentally friendly products. The complex nature of these processes coupled with a limited ability to fully understand them would result in a great concern to the health and safety of workers, neighbors, and surrounding environment. Therefore, a successful landfill operation must reduce the concern and the undesirable impact of landfill activities by educating their employees. In this article, topics of training that are considered to be significant by the author are discussed briefly.

Training Topics

Importance of Landfill

First and foremost, employees need to be informed and convinced about the importance of proper waste disposal. As a general fact, wastes that are improperly disposed of could result in an unhealthy environment and a reduction in the aesthetic value of neighborhoods. However, by having a well managed landfill not only are the wastes efficiently disposed-off, but there is an environmental and economic benefit from energy produced.

In addition to educating the importance of a landfill, employees shall also be informed about the rules and regulations associated with the operations. As mentioned on the official Environmental Protection Agency (EPA) website, EPA has promulgated Criteria for Municipal Solid Waste Landfills (40 CFR Part 258) under Resource Conservation and Recovery Act (RCRA) on October 9, 1991 that puts several restrictions on landfill operations. Employees shall be informed about these restrictions that include location, design and operating standards, ground water monitoring requirements, corrective actions, financial assurance requirements, landfill gas (LFG) migration controls, closure requirements, and post-closure requirements; which all make sure

that the environment is not affected by the landfill operations. All these restrictions contribute to safe disposal of wastes and clean environment. Since it takes all employees to successfully implement the rules and regulations associated with landfill operation, the training shall be given to all employees, not only to the ones at the managerial level. This type of training can foster a sense of ownership and responsibility. Therefore, keeping employees informed about the importance of landfill and their contribution in achieving environmental goals is crucial for the success of the landfill business.

Safety in Landfill

For the safety of the employee and their co-workers, continuous education and hands-on training about each operation and activity is very important. This training may involve when, where and how to use the appropriate personal protection equipment; the safest means of collecting, transferring and disposing wastes; and generally, the safest way of landfill operations. The training should also provide employees with basic information about the type, composition, formation, and movement of gases and odors that are generated at a landfill. The importance of restrictions made by EPA on landfill operations, as mentioned in section I, for the safety of the employees, the community and the environment also needs to be explained to the employees.

Best Management Practices in Landfill

There are various best management practices (BMP) depending on challenges that may occur in a landfill. The common challenges are odor, leachate seeps, erosion, pollution, and gas migration. To prevent and mitigate these problems, a training on BMP shall be given to employees in accordance with the EPA regulations developed for Municipal Solid Waste and the landfill's site operating plan.

Expected Result from the Training

A training would create a unique opportunity for the success of a landfill operation. Among others, the training would help improve work efficiency, creates motivations and innovations, enhances team spirit, helps change the perception of people about waste disposal and the environment, reduces personal and property damage and the associated claims that may come from the damage. Moreover, the training sessions would create an opportunity for the management to recognize employees for their hard work and contribution in keeping the environment clean and safe for the current and future generations. Therefore, a strong and continuous training program is very important for the success of a landfill operation.



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Howard Horn	BNSF Railway
Justin Jenkins	J-BAR Solutions Inc.
Sherrian Jones	City of Plano
Tyler S. Krueger	Parkhill, Smith, and Cooper Inc.

Ryan Kuntz	SCS Engineers
Damon Lindsey	City of Irving
Sarah Mason	City of Houston
William Mckee	AutoCar Truck LLC
Bryan Moore	City of Plano
Jose Mora	City of Eagle Pass
Carlos Narvaez	City of Irving
Juan Rangel	TRDI
Henry Rosales	City of Dallas
David Salinas	City of Weslaco
Sonia Samir	~
Tulsi Singh	Renovar Energy Corp.
Kenneth Thompson	City of Denton
Richard A. Tow	Proressive Waste Solutions
Roberto Trevino	City of McAllen
James Tyree	CH2M Hill
Tom Walding	City of Denton
Shaun Worley	City of Plano

Calendar of Events

