



Legislative Recap of the 84th **Regular Session Update**

by Ty Embrey and Troupe Brewer

The members of the Texas Legislature adjourned the Regular Session of the 84th Texas Legislature on June 1 after 140 long days and nights. The Texas Legislature addressed many important issues that are facing the citizens of Texas as the population and economy of Texas continue to increase rapidly. Specifically, the Legislature passed bills to lower franchise and property taxes, to establish standards for pre-kindergarten education, to increase security along the Texas - Mexico border, and to increase funding for the state's transportation infrastructure. The Texas Legislature also invested a substantial amount of time and effort during the Regular Session to tackle water, waste, and governmental transparency and operations issues. The information below highlights the bills that were passed which impact the solid waste industry in Texas.

TxSWANA had a good session and participated throughout the legislative proc-

ess to make sure TxSWANA's interests were protected. The input received from TxSWANA during the Regular Session was vital to this success, and the TxSWANA representatives who made multiple trips to Austin to testify on multiple bills on behalf of TxSWANA should be commended. Almost all of the bills TxSWANA opposed were stopped at some point in the legislative process and were not passed by the Texas Legislature.

The following list of bills contains bills that are of interest to TxSWANA and have made it all the way through the legislative process to become Texas law:

House Bill 281 by Rep. Simmons of Lewisville – This bill imposes a mandate on TCEQ that it cannot approve an application for the issuance, amendment, or renewal of a permit seeking to expand the area or capacity of a municipally-owned Type I

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TxSWANA

Officers & Board of Directors

President:

Ellen A. Smyth, P.E.
City of El Paso
7968 San Paulo Drive
El Paso, TX 79907
(915) 212-6060
smythea@elpasotexas.gov

Vice President:

David W. McCary
City of San Antonio
1920 Grandstand
San Antonio, TX 78238
(210) 207-6470
david.mccary@sanantonio.gov

Treasurer:

Richard McHale
City of Austin
P.O. Box 1088
Austin, TX 78767
(512) 974-4301
richard.mchale@austintexas.gov

Secretary:

Morris Williams
City of Midland
PO Box 1152
Midland, TX 79702
(432) 685-7275
mwilliams@midlandtexas.gov

Past President:

Michael G. Rice, P.E.
City of Abilene
555 Walnut Street
Abilene, TX 79604
(325) 676-6284
michael.rice@abilenetx.com

IB Rep:

Brenda A. Haney, P.E.
City of Irving
825 W. Irving Blvd.,
Irving, TX 75060
(972) 721-2349
bhaney@cityofirving.org

Director:

Elvira Alonzo
City of McAllen
P.O. Box 220
McAllen, TX 78504
(956) 681-4000
elonzo@mcallen.net

Director:

Lonnie Banks
City of Garland
1434 Commerce Street
Garland, TX 75040
(972) 205-3424
lbanks@ci.garland.tx.us

Director:

Hector Chavez
City of Eagle Pass
1100 Eidson Road
Eagle Pass, TX 78852
(830) 773-9408
hchavez@eaglepasstx.us

Director:

Paul Gosselink
Lloyd , Gosselink,
Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, TX 78701
(512) 322-5806
pgosselink@lglawfirm.com

Director:

Harry Hayes
City of Houston
611 Walker
Houston, TX 77002
(713) 837-9103
harry.hayes2@houstontx.gov

Director:

Robert H. "Holly" Holder, P. E.
Parkhill, Smith & Cooper
4222 85th Street
Lubbock, TX 79423
(806) 473-2200
hholder@team-psc.com

Director:

Vance Kemler
City of Denton
1527 S. Mayhill Road
Denton, TX 76208
(940) 349-8044
vance.kemler@cityofdenton.com

Director:

Jeffrey D. Mayfield, P.E.
North Texas Municipal Water District
P.O. Box 2408
Wylie, TX 75098
(972) 442-5405
jmayfield@ntmwd.com

Director:

Lawrence Mikolajczyk
City of Corpus Christi
2525 Hygeia Street
Corpus Christi, TX 78415
(361) 826-1972
lawm@cctexas.com

Director:

Frank Pugsley, P.E.
CP & Y, Inc.
1820 Regal Row, Suite 200
Dallas, TX 75235
(214) 589-6903
fpugsley@cpyi.com

Director:

Bengy Williams
City of Beaumont
4955 Lafin Road
Beaumont, TX 77704-3827
(409) 842-1483
bwilliams@ci.beaumont.tx.us

Director:

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City of Lubbock
1625 13th Street
Lubbock, TX 79401
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Message from the President

by Ellen Smyth

Dear TxSWANA Members and Friends—

Greetings and Happy New Year! Our Chapter officially starts our new fiscal year on September 1, 2015.

The first order of business at the end of each year is to elect or re-elect half of the Board of Directors. This year we have seven returning Directors and two new Directors. The returning Directors are Lonnie Banks, Hector Chavez, Harry Hayes, Jeffrey Mayfield, Lawrence Mikolajczyk, Vance Kemler, and Bengy Williams. The two new Directors are Elvira Alonzo from the City of McAllen and Catrennia Williamson from the City of Lubbock. Congratulations to all!



Also, if you missed our annual Business meeting in Dallas on July 24, the membership voted to approve some minor revisions to the By-Laws. The TXSWANA By-Laws had not been revised in many years so these changes were made so that the Texas Chapter better aligns with SWANA National. The By-Laws are posted on the web site so please take time to look at them.

Our finances are looking very good thanks to the successful Conference in El Paso, the Rodeo held in Houston, and your continued membership dues. As a result of our healthy finances we were able to recently award \$10,000 in scholarships to a number of outstanding students. You will read more about them in this issue. The Chapter continues to finance various research projects as well as a lobbyist who watches out for our best interests when the legislative session is in progress.

The 2016 TXSWANA Conference is set to be held April 10-13 in Corpus Christi—so hold the date! The conference is a great time to earn needed Continuing Education Units as well as network with Solid Waste Professionals on all of the cutting edge technologies.

Thanks as always for the continued support of all of our sponsors and to all of our members. We can't do it without you! Keep this in mind as you plan the year ahead to encourage additional memberships or to get more involved in your chapter. Feel free to contact any of the Board members with suggestions or ideas.

Ellen Smyth



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municipal solid waste landfill permitted by the state before 1980 that is located wholly inside the boundaries of a municipality and is owned by a municipality other than the municipality where it is located unless the governing body of the municipality involved gives prior approval, by resolution or order, of such permit issuance, amendment, or renewal. The bill also allows any legislators representing the legislative district containing the landfill at issue an opportunity to comment on the application and for the TCEQ to consider those legislator comments in evaluating the application.

Status – HB 281 was sent to Governor Abbott on May 30th. Governor Abbott did not take action on HB 281 and the bill became effective on June 18th.

House Bill 2763 by Rep. Thompson of Pearland – This bill requires TCEQ to convene an advisory committee to conduct a study to quantify the amount of materials currently being recycled; to assess the economic impacts including lost state and local revenues from the materials that are not being recycled, and; to identify ways to develop new markets to increase recycling. The advisory committee will prepare a written report and submit it to TCEQ for inclusion in the MSW Annual Summary Report. According to Representative Thompson's staff, the study will be financed from existing TCEQ funds from the Waste Assessment & Planning Activities.

Status – HB 2763 was sent to Governor Abbott on May 29th. Governor Abbott did not take action on HB 2763 and the bill became effective June 17th.

Senate Bill 709 by Senator Fraser of Horseshoe Bay – This bill makes several significant revisions Administrative Procedures Act, specifically amending provisions related to the contested case hearings process used for permit applications. The bill provides that, upon an applicant's filing of the draft permit prepared by the TCEQ Executive Director (ED) with an Administrative Law Judge (ALJ) at the State Office of Administrative Hearings (SOAH) in a contested case hearing (along with the ED's preliminary decision and other documents supporting the application), a prima facie demonstration is made that i) the draft permit meets all state and federal requirements, and ii) a permit issued in the same form as the draft permit will be protective of public health, property, and the environment. Additionally, following such filing, other parties will be given an opportunity to forward evidence to demonstrate the contrary, and then the applicant and the ED would be entitled to present a rebuttal case.

Status – SB 709 was signed by Governor Abbott on May 23rd. The bill becomes effective September 1st, 2015.

This article was prepared by Ty Embrey of Lloyd Gosselink Rochelle & Townsend, P.C. If you have any questions concerning legislative issues or would like additional information concerning the firm's legislative tracking and monitoring services or legislative consulting services, please contact Ty at (512) 322-5829 or tembrey@lglawfirm.com.

The City of Houston and TXSWANA wish to thank all 2015 ROAD-E-O sponsors for their support in making this year's ROAD-E-O such a success.

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2015 TXSWANA ROAD-E-O WINNERS

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2nd Place — Julian Ramirez, Bryan

3rd Place – Andy Garcia, College Station

REAR LOADER

1st Place – Alejandro Malagon, Denton

2nd Place – Robert Longoria, San Antonio

3rd Place – James Perez, San Antonio

SIDE LOADER

1st Place – Noel Dimas, San Antonio

2nd Place – Cedric Armstead, Houston

3rd Place – Quintus Larkin, Plano

ROLL OFF

1st Place – Ron Keller, Richardson

2nd Place – Dwight Reuben, Killeen

3rd Place – Robert De La Cerda, San Antonio

RUBBER TIRE LOADER

1st Place – Alfonso Piedra, Denton

2nd Place – Billy Downey, Denton

3rd Place – Carlos Perez, El Paso

***** = TOP GUN WINNERS**

DOZER

1st Place– Scott Aaron, Denton ***

2nd Place– Stacy Elkins, Denton

3rd Place– Alfonso Piedra, Denton

COMPACTOR

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2nd Place– Richard Devalos, Dallas

3rd Place– Jesus Marquez, El Paso

TRACTOR TRAILER

1st Place– Ralph Del Toro, San Antonio

2nd Place– Daniel Palomo, Houston

3rd Place– Juan Myares, San Antonio

TRUCK MECHANIC

1st Place– Steve Roberts, Denton ***

2nd Place– Anthony Rosignon, Houston

3rd Place– Michael Lacy, Dallas

LANDFILL MECHANIC

1st Place– Mark Bartek, Denton

***** = TOP GUN WINNERS**



**2015 TXSWANA
Jack C. Carmichael, P.E.
Scholarships**



During the last TxSWANA Board of Directors meeting in Dallas, the TxSWANA Scholarship committee recommended, and the TxSWANA Board of Directors approved the following individuals for Scholarships. Congratulations to each !!!

Ms. Reza Broun

*Student Member-Univ. of Texas at Arlington
Arlington, TX*

Ms. Kathleen Carlton

*TxSWANA Sponsor-Michael Carlton
Dallas, TX*

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TxSWANA 2016 Annual Conference

CORPUS CHRISTI, TEXAS

APRIL 10-13, 2016

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2015 International Road-E-O

Chandler, Arizona • October 3, 2015

The Arizona Chapter has been working to make sure this year's event will be enjoyable for competitors and guests alike. The Road-E-O is being held in beautiful, Chandler, Arizona, on October 3, 2015. A golf tournament and other optional events are scheduled for Friday, October 2, 2015, so bring your family and make this a family event. Registration for the 2015 International Road-E-O is now open.



BEAT THE HEAT

By Megan Miller



Heat-related illness sneaks up on you. You may be feeling ok, a little hot maybe, that's all, and then you start to notice that you're dizzy, foggy-headed, confused, and possibly nauseous. Many of us spent our childhoods playing for what seemed like hours in the sun, and believe ourselves to have a much higher tolerance for heat than we actually do. The truth is, heat exposure can and does kill. The Center for Disease Control says that an average of 688 people per year die of heat-related illness. Here's what else they have to say about it:

“Heat-related illnesses (e.g., heat cramps, heat exhaustion, heat syncope, or heatstroke) can occur when high ambient temperatures overcome the body's natural ability to dissipate heat. Older adults, young children, and persons with chronic medical conditions are particularly susceptible to these illnesses and are at high risk for heat-related mortality.”

Continued exposure to excessive heat

can lead to hyperthermia or death. Of the heat-related illnesses, heat exhaustion and heatstroke are the most serious. Heat exhaustion is characterized by muscle cramps, fatigue, headache, nausea or vomiting, and dizziness or fainting. The skin is often cool and moist, indicating that the body's mechanism for cooling itself (i.e., sweating) is still functioning. The pulse rate is typically fast and weak, and breathing is rapid and shallow. If untreated, heat exhaustion can progress to heatstroke. Heatstroke is a serious, life-threatening condition characterized by a high body temperature ($>103^{\circ}\text{F}$ [$>39.4^{\circ}\text{C}$]); red, hot, and dry skin (no sweating); rapid, strong pulse; throbbing headache; dizziness; nausea; confusion; and unconsciousness. Symptoms can progress to encephalo-

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**Heil of
Texas**



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pathy, liver and kidney failure, coagulopathy (blood-clotting problems), and multiple organ system dysfunction. Prompt treatment of heat-related illnesses with aggressive fluid replacement and cooling of core body temperature is critical to reducing morbidity and mortality.

And here's the thing – it's probably one of the easiest illnesses to prevent. A good place to start is the night before you know you're going to be working hot all day.

Drink a fair amount of water in the evening and the following morning before you go to work.

Being well-hydrated at the start of your shift will go a long way toward preventing problems later on.

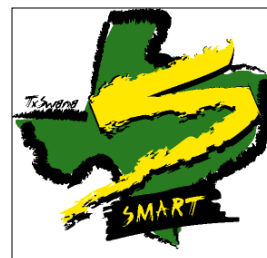
Common sense will tell you that if you're sweating water and salts, you should replace the water and salts. Plain old water or a sports drink with electrolytes is best. Coffee and cola drinks do not replenish water well and may cause you to become dehy-

drated. (The same holds true for alcohol off-the-job).

Wear light-colored clothing, a bandanna soaked in water periodically, and if there is an opportunity to rest in shade (or better still, air-conditioning!) take advantage of it.

Above all, keep an eye on your co-workers!!! You may be able to see signs of heat exhaustion before they become aware of it themselves.

Drink a fair amount of water in the evening and the following morning before you go to work.



The **Safety Management and Resource Team** is a network of Safety professionals organized to effectively share methods of injury and collision prevention. Contact David Vartian at (210) 207-6406 to obtain safety support, exchange safety strategies, or to arrange an onsite audit of your work practices.



MEMBERSHIP

We Welcome the Following New Members (Through Aug. 10, 2015)

Adam Gregory	Texas Disposal Systems	David Simmons	City of Longview
Brian Beam	City of Dallas	Mark Urbanczyk	SCARAB International LLP
David Crownover	Ferris Container Co.	Robert Valenzuela	City of Sugar Land
Steve Francis	City of Houston	Annjanette Vandergriff	Weaver Boos Consultants
Matthew Graham	WCA Waste Corp.	Gregg Wilkinson	Rush Refuse Systems
Tom Mistler	Texas Disposal Systems		
Claudia Notestine	City of Sugar Land		
John Oberly	Brawler Industries		
Naima Rahman	Univ. of Texas at Arlington		
Mark Regan	3rd Eye Mobile Vision by ATWI		

Calendar of Events

<u>BOARD OF DIRECTORS</u> <u>MEETINGS</u>		2015 WasteCon Conference Aug. 24-27, 2015 Orlando, Florida
Aug. 26, 2015	Orlando, FL	2015 SWANA International Road-E-O Oct. 3, 2015 Chandler, Arizona
Sept. 18, 2015	Houston	2016 TXSWANA Annual Conference April 10-13, 2016 Corpus Christi, Texas
Oct. 16, 2015	El Paso	2016 WasteCon Conference Indianapolis, Indiana
Nov. 20, 2015	Dallas	