

Agenda 1/2

CITY OF PORT LAVACA


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PORT COMMISSION MEETING: MAY 4, 2021

DATE: 4.28.2021

TO: PORT COMMISSION

CC: JIM RUDELLAT, HARBOR MASTER

FROM: JODY WEAVER, INTERIM CITY MANAGER 

SUBJECT: PROPOSED AIR BURNER FOR BRUSH OPERATIONS AND CLEANUP AT HOR

As requested by the Port Commission at the March meeting, I placed consideration of purchase of the Air Burner at the City Council meeting on April 12.

Copied from my memo to Council for that meeting: I spoke again with the vendor and he confirmed that the lead time for delivery once the unit is ordered in 12-14 weeks. The vendor was able to give me someone to contact at TCEQ to get preliminary information on what (if any) improvements we would need to make to a site at the Harbor of Refuge to locate the burner there for at least the first year or so. I am waiting to hear back.

Wayne is setting up a meeting with Vern Lyssy to start a serious dialogue on the potential of establishing a recycle center along with the brush staging and Air burning out at the County's recycle center site on Rosenbaum Road.

Prior to purchase we need to determine which is the best option: electric or diesel powered. We have been discussing electric, but there is no 3-phase service at the Harbor of Refuge site, so we need to look at the cost to get it there. We could consider using a generator, but wouldn't want to do that for an extended period of time.

We are looking into whether there is any potential odor associated with the air burner and received the following information so far: The short answer is there is very little odor of wood burning coming from the air curtain burners. Open burning relates to approximately 70% + opacity, while air curtain burners must operate under the EPA guidelines of 10% or less opacity. There is a direct relation between emissions and odor. The EPA regulates the distances from a neighboring house or commercial structure to be a minimum of 300 ft. That is the distance in which noise and odor levels are considered to be negligible.

So with the 300 ft buffer required to get a TCEQ permit, the odor issue should be negligible.

Wayne is looking at the cost for equipment that will be needed to pickup and load the Air burner, and establishing a plan of operations - thinking through additional personnel that may be needed etc.

The Port Commissioners were under the impression that the lead time was much longer than 3-4 months when they made their motion on Monday to recommend to Council to move forward with the purchase at this time. I suggest that we give Wayne and myself a bit more time to get more of our questions answered and bring a complete plan of operation proposal to the Council at a workshop in the very near future. Based upon the preliminary information I have from TCEQ, it appears that the permit application is pretty straight forward and required a public comment period, which is most likely 30 days, but I haven't confirmed that as of yet. TCEQ states that complete applications with no issues are usually issued within.

The following is offered as an UPDATE and Status: I did speak with the Air Permits division of TCEQ and confirmed that the Air Permit is pretty straight forward, however after talking with the Municipal Solid Waste Division, I have learned that the TCEQ rules specifically prohibit an Air Burner from being operated on or within 300 ft of an active or CLOSED Landfill.

If we conduct a thorough study with trenching and bores to show that any part of the 75 acre tract that is filed as the closed landfill, does not in fact have any buried trash, a Professional Engineer can provide a report to that effect and provide and

file a new boundary for the closed landfill that could allow the Air Burner to be located on land as long as – again- it is at least 300 ft away from the boundary of the established closed landfill.

I did speak with Vern Lyssy and we have a similar issue at his location in that his site also is a closed landfill. We are looking to find the recorded boundary for the landfill to determine whether there is a location at this site that might work.

We are looking at some old photographs and will come up with a proposed plan to take some borings/trenching to see whether we might be able to establish a smaller footprint to the trash cells than the entire 75 acres.

Bottom line, we need about 10 acres of land.