

**MINUTES**  
**ENVIRONMENTAL QUALITY BOARD**  
**JANUARY 21, 2025**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**OKLAHOMA CITY, OKLAHOMA**

Official EQB Approved  
On June 10, 2025

**Notice of Public Meeting** – The Environmental Quality Board (Board) convened for a Regular Meeting at 9:30 a.m., at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma. This meeting was held in accordance with 25 O.S. Section 311, with notice of the meeting given to the Secretary of State on October 24, 2024. The agenda was mailed to interested parties on January 13, 2025 and was posted at the DEQ on January 20, 2025. Mr. Mike Paque, Chair, called the meeting to order. Ms. Fields called roll and a quorum was confirmed.

**MEMBERS PRESENT**

Richard Auer  
Shannon Ferrell  
Jimmy Kinder  
Brandi Lowry  
Steve Mason  
Tim Munson  
Pete Schultze  
Sheldon Tatum  
Mike Paque

**DEQ STAFF PRESENT**

Rob Singletary, Executive Director  
Madison Miller, Deputy Executive Director  
Jennifer Boyle, General Counsel  
Michelle Wynn, Legislative Liaison  
Jonathan Allen, Deputy General Counsel  
Shellie Chard, Water Quality Division  
Karen Steele, Water Quality Division  
Erin Hatfield, Office of Communications  
Stacey Tucker, Administrative Services Division  
Kathy Aebischer, Administrative Services Division  
Kelly Dixon, Land Protection Division  
Kole Kennedy, Land Protection Division  
George Russell, State Environmental Laboratory Services  
Dustin Davidson, State Environmental Laboratory Services  
Mark Hildebrand, Chief of Staff  
Susan Mensik, State Environmental Laboratory Services  
Melanie Foster, Air Quality Division  
Cheryl Bradley, Air Quality Division  
Vance Pennington, Environmental Complaints & Local Services  
Travis Mensik, Environmental Complaints & Local Services  
Patrick Riley, Land Protection Division  
Jeff Biddick, Land Protection Division  
Linzi Bhatta, Land Protection Division  
Amber Edwards, Land Protection Division  
Nicholas Huber, Environmental Complaints & Local Services  
Mike Edwards, Land Protection Division  
Malcolm Zachariah, Air Quality Division  
Lloyd Kirk, Office of External Affairs  
Zac Pool, Administrative Services Division  
Kylan Huffman, Environmental Attorney  
Mark Stasyszen, Water Quality Division  
Ann Marie Smith, Land Protection Division  
John Brown, Environmental Attorney  
Chris Robinson, Environmental Attorney  
Kylan Huffman, Environmental Attorney  
April Eberle, Environmental Attorney  
Brian Clagg, Water Quality Division  
Quiana Fields, Office of the Executive Director

**MEMBERS ABSENT**

Alexie Kindrick  
John Easton  
Ken Hirshey

**OTHERS PRESENT**

Jennifer Lewis, Office of the Attorney General  
Jenny Longley, Court Reporter  
Brian Duzan, Water Quality Management Advisory Council  
Jim Linn, Solid Waste Quality Management Advisory Council  
Lee Grater, Hazardous Waste Management Advisory Council



**Approval of Minutes** – Mr. Paque called for a motion to approve the November 21, 2024 Regular Meeting minutes. Dr. Ferrell moved to approve and Mr. Tatum made the second.

*transcript pages 3 - 5*

Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Election of Officers** – Mr. Paque called for nominations for Chair. Mr. Kinder nominated Dr. Ferrell as Chair and Mr. Munson made the second. Hearing no other nominations, Mr. Paque called for a motion to cease nominations and elect by acclamation. Mr. Munson moved to cease the nominations and Mr. Kinder made the second.

*transcript pages 5 - 7*

Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Abstain	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

Mr. Paque called for nominations of Vice-Chair. Mr. Munson nominated Ms. Kindrick as Vice-Chair and Dr. Ferrell made the second. Hearing no other nominations, Mr. Paque called for a motion to cease nominations and elect by acclamation. Mr. Kinder moved to cease nominations and Mr. Munson made the second.

*transcript pages 7 - 10*

Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Rulemaking - OAC 252:205 - Hazardous Waste Management** – Dr. Ferrell called upon Mr. Lee Grater, Chair of the Hazardous Waste Management Advisory Council (HWMAC), to present the rule. Mr. Grater was absent, so Mr. Mike Edwards of the LPD, presented the rule. Mr. Edwards stated that the Department is proposing to update its rules related to the date of incorporation by reference for the Code of Federal Regulations from the year that ended June 30, 2024. Hearing no questions or comments by the Board or the public, Dr. Ferrell called for a motion. Mr. Kinder moved to approve and Mr. Auer made the second.

*transcript pages 10 - 13*

Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Rulemaking – OAC 252:306 – State Environmental Laboratory Services** – Dr. Ferrell called upon Mr. Brian Duzan, Chair of the Water Quality Management Advisory Council (WQMAC), to present the rules. Mr. Duzan stated that the Department is proposing to promulgate this new rule to replace OAC 252:305, “Laboratory Services”. This Chapter contains rules regarding fees and services offered by the SELSD. Chapter 306 provides updated fees and services offered by SELSD, in compliance with Oklahoma Statutes. Chapter 306 includes updated references to statutory language. The types of



services provided are detailed for both the agency's needs as well as those outside of DEQ including citizens, municipalities, industry and other agencies. The number and types of laboratory analysis services offered are detailed, including all applicable base fees, in Appendix A, and an annual, optional, fee adjustment using the Consumer Price Index (CPI) is included. Chapter 306 also details other analysis, special services, possible discounts for large volume requests with Director approval and EPA's grant of primacy naming SELSD as the Principal State Laboratory with laboratory accreditation responsibilities for analytical measuring of contaminants specified in OAC 252:631 (state primary drinking water requirements). Hearing a question by the Board and none by the public, Dr. Ferrell called for a motion. Mr. Tatum moved to approve and Mr. Paque made the second.

*transcript pages 13 – 19*

Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Rulemaking – OAC 252:305 – Laboratory Services** – Mr. Duzan stated that the Department is proposing to revoke this rule since it will be replaced by OAC 252:306. Hearing no questions or comments by the Board or the public, Dr. Ferrell called for a motion. Mr. Kinder moved to approve and Mr. Schultze made the second.

*transcript pages 19 - 21*

Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Rulemaking – OAC 252:606 – Oklahoma Pollutant Discharge Elimination System (OPDES) Standards** – Mr. Duzan stated that the Department is proposing to update its rules related to the date of incorporation by reference for the Code of Federal Regulations from July 12, 2023, to July 8, 2024. The first regulatory change was the Clean Water Act Section 401 Water Quality Certification Improvement Rule that became effective November 27, 2023. The purpose of the final rule was to provide stakeholders with a clear and consistent certification process while ensuring protection of vital state, territory and Tribal water resources. The second regulatory change, effective on June 17, 2024, consisted of EPA finalizing changes to its test procedures required to be used by industries and municipalities when analyzing the chemical, physical and biological properties of wastewater and other samples for reporting under the EPA's National Pollutant Discharge Elimination System permit program. This provides timelier access to new measurement techniques and greater flexibility in the selection of analytical methods, thereby reducing monitoring costs while maintaining the protection of public health and the environment. A third regulatory change was the Steam Electric Power Generating Effluent Guidelines final rule which became effective July 8, 2024. This rule revises the technology-based effluent limitation guidelines and standards for the steam electric power generating point source category applicable to flue gas desulfurization (FGD) wastewater, bottom ash transport water, legacy wastewater at existing sources and combustion residual leachate at new and existing sources. Lastly, EPA designated two per- and polyfluoroalkyl substances –perfluorooctanoic acid (“PFOA”) and perfluorooctanesulfonic acid (“PFOS”), including their salts and structural isomers, as



hazardous substances under section 102(a) of the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”). As a result of designation, CERCLA and EPCRA reporting requirements apply to release of PFOA or PFOS or their salts and structural isomers. Hearing no questions or comments by the Board or the public, Dr. Ferrell called for a motion. Mr. Munson moved to approve and Mr. Auer made the second.

	<i>transcript pages 21 - 23</i>		
Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Rulemaking – OAC 252:631 – Public Water Supply Operation** – Mr. Duzan stated that the Department is proposing to update the rule concerning the date of incorporation by reference of certain federal regulations from August 17, 2022, to October 30, 2024; correct a grammatical error; remove references to Fecal Coliform and replace, where appropriate, with E. coli; update laboratory emergency notification requirements to match Tier 1 public notice (PN) requirements in the C.F.R.; update validation of data requirements for sampling procedures to match the intent of the C.F.R.; update Consumer Confidence Reports (CCR) delivery requirements to match the CCR requirements in the C.F.R.; remove total chlorine residual testing requirements for systems that use free chlorine; and update public water supply (PWS) immediate notification requirements to match Tier 1 PN requirements in the C.F.R. and to account for physical and cybersecurity concerns. Hearing no questions or comments by the Board or the public, Dr. Ferrell called for a motion. Mr. Paque moved to approve and Mr. Tatum made the second.

	<i>transcript pages 23 - 26</i>		
Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Rulemaking – OAC 252:710 – Waterworks and Wastewater Works Operator Certification** – Mr. Duzan stated that the Department is proposing to update the rule to correct grammatical errors; clarify that operator experience means licensed experience; allow approval of virtual classes that are less than 4 hours; require attendance records to be submitted in a DEQ-approved format; cite military exception statute for renewals; rename registered helper to non-certified helper; change CPI from every five years to annually; allow DEQ to determine if non-community and minor systems need an operator; clarify approved equivalents; and fix footnotes in Appendices A & B. Hearing no questions or comments by the Board or the public, Dr. Ferrell called for a motion. Mr. Kinder moved to approve and Mr. Munson made the second.

	<i>transcript pages 26 - 29</i>		
Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Rulemaking – OAC 252:517 - Management of Coal Combustion Residuals (CCR)** – Dr. Ferrell called upon Mr. Jim Linn, Chair of the Solid Waste Management Advisory Council to present the rule. Mr. Linn stated that the Department is proposing to revise



this rule to incorporate changes to the federal regulations and maintain Oklahoma program approval. The changes are for CCR Management Units (CCRMUs) and Legacy CCR Surface Impoundments. Hearing a question by the Board and none by the public, Dr. Ferrell called for a motion. Mr. Schultze moved to approve and Mr. Lowry made the second.

	<i>transcript pages 29 - 33</i>		
Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Executive Director's Report** – Mr. Rob Singletary, Executive Director of the DEQ, discussed agency accomplishments and activities since the last Board meeting, as well as information pertaining to budgetary and/or legislative or related matters.

*transcript pages 33 - 49*

**Budget Update and Financial Overview (FY 2025)** – Dr. Ferrell called upon Ms. Kathy Aebischer, Chief Financial Officer of the DEQ. Ms. Aebischer gave a presentation on the FY 2025 budget update. No action by the Board is required.

*transcript pages 49 - 53*

**New Business** – None

**Next Meeting** – The next regular meeting is scheduled for Tuesday, June 10, 2025 at 9:30 a.m., in the Multipurpose Room of the Oklahoma Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma.

**Adjournment** – Dr. Ferrell called for a motion to adjourn. Mr. Munson moved to adjourn and Mr. Paque made the second. Meeting adjourned at 10:30 a.m.

	<i>transcript pages 56 - 57</i>		
Richard Auer	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultz	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Brandi Lowry	Yes	Mike Paque	Yes
Steve Mason	Yes		

**Public Forum** – No public forum issues were raised.

**The transcript and sign-in sheet become an official part of these Minutes.**



<p>1 REGULAR MEETING, DEPARTMENT OF ENVIRONMENTAL QUALITY</p> <p>2 ENVIRONMENTAL QUALITY BOARD</p> <p>3 BEGINNING AT 9:30 AM ON JANUARY 21, 2025</p> <p>4 IN OKLAHOMA CITY, OKLAHOMA</p> <p>5</p> <p>6</p> <p>7 MEMBERS PRESENT:</p> <p>8 Richard Auer</p> <p>9 Shannon Ferrell</p> <p>10 James Kinder</p> <p>11 Mike Paque</p> <p>12 Steve Mason</p> <p>13 Brandi Lowry</p> <p>14 Peter Schultze</p> <p>15 Tim Munson</p> <p>16 Sheldon Tatum</p> <p>17</p> <p>18 MEMBERS ABSENT:</p> <p>19 Kenneth Hirshey, Jr.</p> <p>20 John Easton</p> <p>21 Alexandria Kindrick</p> <p>22</p> <p>23</p> <p>24</p> <p>25 REPORTED BY: Jenny Longley, CSR</p>	<p>Page 1</p> <p>1 MR. AUER: Yes.</p> <p>2 MS. FIELDS: Mr. Easton is absent.</p> <p>3 Dr. Ferrell?</p> <p>4 DR. FERRELL: Here.</p> <p>5 MS. FIELDS: Mr. Hirshey is absent.</p> <p>6 Mr. Kinder?</p> <p>7 MR. KINDER: Here.</p> <p>8 MS. FIELDS: Ms. Kindrick is absent.</p> <p>9 Ms. Lowry?</p> <p>10 MS. LOWRY: Here.</p> <p>11 MS. FIELDS: Mr. Mason?</p> <p>12 MR. MASON: Present.</p> <p>13 MS. FIELDS: Mr. Munson?</p> <p>14 MR. MUNSON: Present.</p> <p>15 MS. FIELDS: Mr. Schultze?</p> <p>16 MR. SCHULTZE: Here.</p> <p>17 MS. FIELDS: Mr. Tatum?</p> <p>18 MR. TATUM: Here.</p> <p>19 MS. FIELDS: Mr. Paque?</p> <p>20 MR. PAQUE: Yes.</p> <p>21 MS. FIELDS: We have a quorum.</p> <p>22 MR. PAQUE: We have a quorum.</p> <p>23 Next item on the agenda, item number</p> <p>24 4, Approval of Minutes. Has everyone had a chance</p> <p>25 to review the minutes of our last meeting? Any</p>
<p>1 PROCEEDINGS</p> <p>2 MR. PAQUE: Meeting is called to order.</p> <p>3 The January 2, 2025 regular meeting</p> <p>4 of the Environmental Quality Board has been called</p> <p>5 according to the Oklahoma Open Meeting Act, Section</p> <p>6 311 of Title 25 of the Oklahoma Statutes. Notice</p> <p>7 was filed with the Secretary of State on October 24,</p> <p>8 2024. Agendas were mailed to interested parties on</p> <p>9 January 13, 2025 and were posted at the DEQ on</p> <p>10 January 20, 2025. Only matters appearing on the</p> <p>11 posted agenda may be considered.</p> <p>12 If this meeting is continued or</p> <p>13 reconvened, we must announce today the date, time</p> <p>14 and place of the continued meeting and the agenda</p> <p>15 for such continuation will remain the same as</p> <p>16 today's agenda.</p> <p>17 With that, let me ask before we do</p> <p>18 the roll if there are any announcements. Rob, any</p> <p>19 announcements today?</p> <p>20 MR. SINGLETARY: No, sir.</p> <p>21 MR. PAQUE: Anybody else? Any board</p> <p>22 member? Any introductions? All right. Thank you.</p> <p>23 With that, would you call the roll,</p> <p>24 please, Quiana?</p> <p>25 MS. FIELDS: Mr. Auer?</p>	<p>Page 2</p> <p>1 comments, any questions, changes to the minutes?</p> <p>2 Seeing none, would you call the roll?</p> <p>3 Is there a motion for approval of the minutes?</p> <p>4 DR. FERRELL: So move.</p> <p>5 MR. PAQUE: Motion. Second?</p> <p>6 MR. TATUM: Second.</p> <p>7 MR. PAQUE: Motion and a second.</p> <p>8 MS. FIELDS: Mr. Auer?</p> <p>9 MR. AUER: Yes.</p> <p>10 MS. FIELDS: Dr. Ferrell?</p> <p>11 DR. FERRELL: Yes.</p> <p>12 MS. FIELDS: Mr. Kinder?</p> <p>13 MR. KINDER: Yes.</p> <p>14 MS. FIELDS: Ms. Lowry?</p> <p>15 MS. LOWRY: Yes.</p> <p>16 MS. FIELDS: Mr. Mason?</p> <p>17 MR. MASON: Yes.</p> <p>18 MS. FIELDS: Mr. Munson?</p> <p>19 MR. MUNSON: Yes.</p> <p>20 MS. FIELDS: Mr. Schultze?</p> <p>21 MR. SCHULTZE: Yes.</p> <p>22 MS. FIELDS: Mr. Tatum?</p> <p>23 MR. TATUM: Yes.</p> <p>24 MS. FIELDS: Mr. Paque?</p> <p>25 MR. PAQUE: Yes.</p>
	<p>Page 3</p> <p>Page 4</p>



<p>1 MS. FIELDS: Motion passed.</p> <p>2 MR. PAQUE: Thank you.</p> <p>3 Next item on the agenda, item number</p> <p>4 5, Election of Officers. So as is our tradition</p> <p>5 here on the EQB board, we elect the officers once a</p> <p>6 year. And I've had the pleasure of serving as Chair</p> <p>7 of the Board for the last two years, something of</p> <p>8 which I'm grateful and enjoyed a great deal.</p> <p>9 Having said that, our tradition is</p> <p>10 typically to rotate the chair amongst other board</p> <p>11 members. So with that brief note, let me ask --</p> <p>12 open up the floor for election of Vice Chair and</p> <p>13 Chair, and we'll begin with Chair.</p> <p>14 Is there a nomination for Chair of</p> <p>15 the Board for Calendar Year 2025?</p> <p>16 MR. KINDER: I'd like to move Shannon</p> <p>17 Ferrell, make a motion to nominate him.</p> <p>18 MR. PAQUE: We have a motion for Shannon</p> <p>19 Ferrell as the Chairman for the coming year.</p> <p>20 Is there a second?</p> <p>21 MR. MUNSON: Second.</p> <p>22 MR. PAQUE: Motion and a second.</p> <p>23 We'll take the votes then separately,</p> <p>24 Quiana, for Chair and Vice Chair. Yes?</p> <p>25 MS. LEWIS: Also, usually you will make a</p>	<p>1 MR. MASON: Yes.</p> <p>2 MS. FIELDS: Mr. Munson?</p> <p>3 MR. MUNSON: Yes.</p> <p>4 MS. FIELDS: Mr. Schultze?</p> <p>5 MR. SCHULTZE: Yes.</p> <p>6 MS. FIELDS: Mr. Tatum?</p> <p>7 MR. TATUM: Yes.</p> <p>8 MS. FIELDS: Mr. Paque?</p> <p>9 MR. PAQUE: Yes.</p> <p>10 MS. FIELDS: Motion passed.</p> <p>11 MR. PAQUE: Congratulations.</p> <p>12 Next, we'll consider nominations for</p> <p>13 the position of Vice Chair for Calendar Year 2025.</p> <p>14 Do we have any nominations?</p> <p>15 MR. MUNSON: Mr. Chairman, I would like to</p> <p>16 nominate Alexandria Kindrick since she's not here to</p> <p>17 defend herself.</p> <p>18 DR. FERRELL: I will second that</p> <p>19 nomination. I also have reached out to Ms. Kindrick</p> <p>20 and she said she would be willing to serve; so we're</p> <p>21 not throwing her under the bus completely in</p> <p>22 absentia.</p> <p>23 MR. PAQUE: We have a nomination and a</p> <p>24 second. Are there any other nominations?</p> <p>25 Is there a motion to close</p>
<p>1 motion or someone will make a motion when</p> <p>2 nominations will cease and to vote by acclamation.</p> <p>3 MR. PAQUE: Close nomination?</p> <p>4 MS. LEWIS: Yeah.</p> <p>5 MR. PAQUE: Okay. Is there a motion to</p> <p>6 close the nominations?</p> <p>7 MR. MUNSON: So move.</p> <p>8 MR. KINDER: Second.</p> <p>9 MR. PAQUE: Motion and a second.</p> <p>10 Is there a -- can I just do a motion?</p> <p>11 DR. FERRELL: You already did.</p> <p>12 MR. PAQUE: By acclamation?</p> <p>13 DR. FERRELL: That vote's in order now.</p> <p>14 MS. LEWIS: Yes, now you take a roll call</p> <p>15 vote.</p> <p>16 MR. PAQUE: Roll call vote.</p> <p>17 MS. FIELDS: Mr. Auer?</p> <p>18 MR. AUER: Yes.</p> <p>19 MS. FIELDS: Dr. Ferrell?</p> <p>20 DR. FERRELL: Abstain.</p> <p>21 MS. FIELDS: Mr. Kinder?</p> <p>22 MR. KINDER: Yes.</p> <p>23 MS. FIELDS: Ms. Lowry?</p> <p>24 MS. LOWRY: Yes.</p> <p>25 MS. FIELDS: Mr. Mason?</p>	<p>1 nominations for Vice Chair?</p> <p>2 MR. KINDER: I so move, Jimmy Kinder.</p> <p>3 MR. MUNSON: Second.</p> <p>4 MR. PAQUE: Motion and a second.</p> <p>5 Would you call the roll, please?</p> <p>6 MS. FIELDS: Mr. Auer?</p> <p>7 MR. AUER: Yes.</p> <p>8 MS. FIELDS: Dr. Ferrell?</p> <p>9 DR. FERRELL: Yes.</p> <p>10 MS. FIELDS: Mr. Kinder?</p> <p>11 MR. KINDER: Yes.</p> <p>12 MS. FIELDS: Ms. Lowry?</p> <p>13 MS. LOWRY: Yes.</p> <p>14 MS. FIELDS: Mr. Mason?</p> <p>15 MR. MASON: Yes.</p> <p>16 MS. FIELDS: Mr. Munson?</p> <p>17 MR. MUNSON: Yes.</p> <p>18 MS. FIELDS: Mr. Schultze?</p> <p>19 MR. SCHULTZE: Yes.</p> <p>20 MS. FIELDS: Mr. Tatum?</p> <p>21 MR. TATUM: Yes.</p> <p>22 MS. FIELDS: Mr. Paque?</p> <p>23 MR. PAQUE: Yes.</p> <p>24 MS. FIELDS: Motion passed.</p> <p>25 MR. PAQUE: With that, I'll pass the gavel</p>



<p>Page 9</p> <p>1 and the burden of chairing this meeting over to the 2 new Chair of the EQB board, Shannon Ferrell. 3 DR. FERRELL: Thank you, sir, appreciate 4 it. 5 MR. SINGLETARY: Thank you. 6 [Applause.] 7 MR. SINGLETARY: Mr. Paque, we know it's 8 hard to give up the gavel once you've had it, 9 especially for two years; so we wanted to present 10 you with this gavel and give you this plaque. Thank 11 you for your service on the board the last two 12 years. 13 MR. PAQUE: Thank you very much. 14 [Applause.] 15 MR. PAQUE: Appreciate it. It is an honor 16 to be chair of any board that will have me on it, 17 but especially this one, and I thoroughly enjoyed 18 it, it's been a great two years. 19 I think one of our highlights was the 20 great send-off of Scott Thompson in his retirement, 21 and hiring of Rob Singletary as Executive Director I 22 think is one of the things I'm most pleased about 23 that we've accomplished in these last two years, and 24 working with a great board. 25 So anyway, thank you very much, thank</p>	<p>Page 11</p> <p>1 So I'm Mike Edwards, I'm the 2 Compliance Enforcement Manager for Hazardous Waste; 3 so I'm going to go ahead and read Mr. Grater's 4 script. I'd like to add some color to it, but I 5 guess I won't, I'll probably just read it. 6 Department of Environmental Quality 7 is proposing to amend OAC 252:205. The gist of this 8 rulemaking is to make DEQ's hazardous waste rules 9 consistent with the federal regulations by 10 incorporating by reference the regulations found in 11 40 C.F.R. Parts 124 and 260 through 279, revised as 12 of July 1, 2024. 13 This rule change makes technical 14 corrections that correct or clarify specific 15 provisions in the existing hazardous waste 16 regulations that were promulgated in the Hazardous 17 Waste Generator Improvements Rule, the Hazardous 18 Waste Pharmaceuticals Rule, and the Definition of 19 Solid Waste Rule in addition to minor corrections to 20 the hazardous waste regulations independent of those 21 rules. 22 Corrections and clarifications 23 include but are not limited to: correcting 24 typographical errors as well as incorrect or 25 outdated citations, making minor clarifications, and</p>
<p>Page 10</p> <p>1 you all. 2 DR. FERRELL: Well, and with that, I want 3 to thank Mike especially for his leadership and for 4 being my mentor as I've been Vice Chair. You've 5 done a phenomenal job of leading us through, you 6 know, a big change in the organization, and that's 7 been I think very smooth, I think in part to your 8 leadership. 9 So thank you so much for everything 10 that you've done for us and for the state, Mike, we 11 appreciate you. 12 MR. PAQUE: Thank you. 13 DR. FERRELL: Okay. Well, with that, time 14 to get to the matter at hand. We are now on to 15 agenda item number 6 for our rulemaking as slated 16 today, modifications to OAC 252 Chapter 205 for 17 "Hazardous Waste Management". 18 And our presentation for that rule, 19 which is done to incorporate some changes being made 20 by reference, is going to be Lee Grater, the Chair 21 of our Hazardous Waste Management Advisory Council. 22 MR. EDWARDS: Lee Grater couldn't make it, 23 he's coming from Enid -- or was coming from Enid, 24 and I think they had a little bit worse weather than 25 we did.</p>	<p>Page 12</p> <p>1 updating addresses. This rule change will not have 2 a major impact on Oklahoma facilities. 3 The Hazardous Waste Management 4 Advisory Council met on October 24th and voted to 5 approve the proposed changes. The council 6 recommends that the board approve these provisions 7 to 252:205. 8 DR. FERRELL: Any questions from the 9 board? 10 Any questions from the public? 11 Seeing none, the Chair would 12 entertain a motion with respect to the proposed 13 regulation. 14 MR. KINDER: Jimmy Kinder, I move to 15 approve. 16 MR. AUER: Auer, second. 17 DR. FERRELL: I have a motion and a 18 second. Any discussion on the motion? 19 Okay. Seeing none, Quiana, would you 20 please call the roll? 21 MS. FIELDS: Mr. Auer? 22 MR. AUER: Yes. 23 MS. FIELDS: Dr. Ferrell? 24 DR. FERRELL: Yes. 25 MS. FIELDS: Mr. Kinder?</p>



<p>Page 13</p> <p>1 MR. KINDER: Yes.</p> <p>2 MS. FIELDS: Ms. Lowry?</p> <p>3 MS. LOWRY: Yes.</p> <p>4 MS. FIELDS: Mr. Mason?</p> <p>5 MR. MASON: Yes.</p> <p>6 MS. FIELDS: Mr. Munson?</p> <p>7 MR. MUNSON: Yes.</p> <p>8 MS. FIELDS: Mr. Schultze?</p> <p>9 MR. SCHULTZE: Yes.</p> <p>10 MS. FIELDS: Mr. Tatum?</p> <p>11 MR. TATUM: Yes.</p> <p>12 MS. FIELDS: Mr. Paque?</p> <p>13 MR. PAQUE: Yes.</p> <p>14 MS. FIELDS: Motion passed.</p> <p>15 MR. EDWARDS: Thank you.</p> <p>16 DR. FERRELL: Thank you very much for</p> <p>17 filling in on short notice, we appreciate you doing</p> <p>18 that.</p> <p>19 All right. Agenda item number 7,</p> <p>20 Rulemaking affecting Oklahoma Administrative Code</p> <p>21 Chapter 252, Subsection 306, "State Environmental</p> <p>22 Laboratory Services".</p> <p>23 And to present on the rule, one of</p> <p>24 our favorite recurring guests on the program is</p> <p>25 Brian Duzan. By popular demand, back for another</p>	<p>Page 15</p> <p>1 "State Environmental Laboratory Services". For</p> <p>2 permanent rulemaking, DEQ staff proposes a new</p> <p>3 Chapter 306 that, if approved by the board, will</p> <p>4 replace Chapter 305, "Laboratory Services". Chapter</p> <p>5 306 contains rules regarding services and fees</p> <p>6 offered by the State Environmental Laboratory</p> <p>7 Services Division. It provides updated statutory</p> <p>8 authority for the rulemaking processes, in</p> <p>9 compliance with Oklahoma Statutes. It also updates</p> <p>10 the types of laboratory services available for DEQ's</p> <p>11 needs and those outside DEQ, including citizens,</p> <p>12 municipalities, industries, and other agencies.</p> <p>13 Chapter 306 allows for new testing and</p> <p>14 non-analytical services to be added and for other</p> <p>15 services to be decommissioned at the discretion of</p> <p>16 the Executive Director or his or her designate.</p> <p>17 Chapter 306 references the SELSD's</p> <p>18 authority under 40 C.F.R. 142.10 as the State</p> <p>19 Principal Laboratory in a primacy state, with</p> <p>20 responsibilities including the accreditation of</p> <p>21 laboratories performing analytical testing of</p> <p>22 drinking water contaminants specified in OAC</p> <p>23 252:631, "Public Water Supply Operation", which are</p> <p>24 Oklahoma's primary drinking water requirements.</p> <p>25 Chapter 306 allows for the optional</p>
<p>Page 14</p> <p>1 meeting.</p> <p>2 MR. DUZAN: By popular demand, and I get</p> <p>3 to drone on for a while because we have five</p> <p>4 chapters. None are directly about the lab cool</p> <p>5 stuff, but I hear they're having a chance to walk</p> <p>6 through the lab later and they'll talk about that</p> <p>7 later; so you'll get your chance.</p> <p>8 For those new, I'm Brian Duzan, I'm</p> <p>9 the Chairman of the Water Quality Management</p> <p>10 Advisory Council, and today we have five chapters to</p> <p>11 recommend to the board.</p> <p>12 Please note that prior to bringing</p> <p>13 these rules before you today, DEQ staff held two</p> <p>14 informal public meetings: one was conducted on</p> <p>15 November 7th in Tulsa at the Centennial Center in</p> <p>16 Veterans Park, where approximately 10 people</p> <p>17 attended, and the second was held here at the DEQ</p> <p>18 office on November 13th, where there were</p> <p>19 approximately 15 attendees.</p> <p>20 Additionally, DEQ staff discussed the</p> <p>21 proposed rulemaking during the September 24, 2024</p> <p>22 council meeting and at the January 7, 2025 council</p> <p>23 meeting, where these rules were unanimously approved</p> <p>24 for recommendation to the EQB.</p> <p>25 We're starting with OAC 252:306,</p>	<p>Page 16</p> <p>1 use of the annual Consumer Price Index, or CPI, to</p> <p>2 adjust base fees for the laboratory services listed</p> <p>3 in Appendix A. That CPI was also in 305.</p> <p>4 Chapter 306, Appendix A, "Laboratory</p> <p>5 Service Fee Schedule", is a nine-page listing of all</p> <p>6 the current state environmental laboratory services</p> <p>7 and associated base fees. No fee increases are</p> <p>8 proposed in Chapter 306. Appendix A is merely an</p> <p>9 updated list of current services and base fees that</p> <p>10 the laboratory offers.</p> <p>11 Finally, prior to the January 7, 2025</p> <p>12 council meeting, DEQ received four written public</p> <p>13 comments via a December 16, 2024 email from Cathey</p> <p>14 Gillingham, who is the Planning and</p> <p>15 Intergovernmental Administrator for the City of</p> <p>16 Tulsa Water and Sewer Department. Two comments</p> <p>17 suggested modifications to the draft Appendix A and</p> <p>18 two comments asked about the analytical services for</p> <p>19 PFAS. DEQ updated the Appendix A to improve clarity</p> <p>20 for customers and verified the PFAS services</p> <p>21 offered. The comments and DEQ's responses are</p> <p>22 included in the Executive Summary provided.</p> <p>23 In conclusion, the Water Quality</p> <p>24 Management Advisory Council recommends these rules</p> <p>25 to the Environmental Quality Board by unanimous</p>



<p>Page 17</p> <p>1 vote. If you have any questions, the staff or I 2 will be happy to respond.</p> <p>3 DR. FERRELL: Any questions from the 4 board?</p> <p>5 MR. MASON: Steve has a question. I hope 6 that the inflationary fee increase that's in the 7 regs is fair this year because chemicals can go up, 8 it'd be a great team. What was the percent 9 increase?</p> <p>10 MR. BROWN: 1.04.</p> <p>11 MR. MASON: All right. I wish inflation 12 was that low. Did you say 4 percent?</p> <p>13 MR. BROWN: 1.04.</p> <p>14 MR. MASON: So it would be double or went 15 up 4 percent?</p> <p>16 MS. MENSİK: It's 1.04 percent, so we have 17 percent...</p> <p>18 MR. MASON: I thought inflation wasn't 19 fair. Who told the voters it was that low?</p> <p>20 DR. FERRELL: Any other questions from the 21 board? Anything else from the board?</p> <p>22 Any questions from the public?</p> <p>23 Seeing none, the Chair would 24 entertain a motion with respect to the proposed 25 regulation.</p>	<p>Page 19</p> <p>1 Who invented the 1 percent? It's ridiculous.</p> <p>2 MS. MENSİK: I believe it's --</p> <p>3 MALE SPEAKER: I think it's 4 percent.</p> <p>4 (A short discussion was had.)</p> <p>5 MS. MENSİK: I think it was 4 percent.</p> <p>6 MR. MASON: Okay. That's --</p> <p>7 MS. BOYLE: The court reporter is having 8 difficulty transcribing this. If everyone could 9 speak up, please.</p> <p>10 MR. MASON: Okay. So it's about 4 11 percent. That's okay. Thank you.</p> <p>12 DR. FERRELL: All right. Moving forward, 13 we are now on agenda item number 8, that's OAC 14 252:305, "Laboratory Services".</p> <p>15 Again, Mr. Brian.</p> <p>16 MR. DUZAN: Okay. And the CPI's 17 definitely out of Brian's comprehension, so...</p> <p>18 Since 306 was approved for permanent 19 rulemaking, DEQ staff proposes to revoke Chapter 305 20 in its entirety. It is outdated and will be 21 replaced by the new Chapter 306. Revocation of 305 22 and replacement with 306 was determined to be the 23 most efficient and effective way to update the base 24 fees and services currently offered.</p> <p>25 The WQMAC recommends this rule to the</p>
<p>Page 18</p> <p>1 MR. TATUM: Mr. Chairman, I move that we 2 approve the rule as presented.</p> <p>3 MR. PAQUE: I second that.</p> <p>4 DR. FERRELL: Second?</p> <p>5 MR. PAQUE: Second.</p> <p>6 MS. FIELDS: Mr. Auer?</p> <p>7 MR. AUER: Yes.</p> <p>8 MS. FIELDS: Dr. Ferrell?</p> <p>9 DR. FERRELL: Yes.</p> <p>10 MS. FIELDS: Mr. Kinder?</p> <p>11 MR. KINDER: Yes.</p> <p>12 MS. FIELDS: Ms. Lowry?</p> <p>13 MS. LOWRY: Yes.</p> <p>14 MS. FIELDS: Mr. Mason?</p> <p>15 MR. MASON: Yes.</p> <p>16 MS. FIELDS: Mr. Munson?</p> <p>17 MR. MUNSON: Yes.</p> <p>18 MS. FIELDS: Mr. Schultze?</p> <p>19 MR. SCHULTZE: Yes.</p> <p>20 MS. FIELDS: Mr. Tatum?</p> <p>21 MR. TATUM: Yes.</p> <p>22 MS. FIELDS: Mr. Paque?</p> <p>23 MR. PAQUE: Yes.</p> <p>24 MS. FIELDS: Motion passed.</p> <p>25 MR. MASON: Can I ask a followup question?</p>	<p>Page 20</p> <p>1 board by unanimous vote. If you have any questions, 2 the staff or I will be happy to respond.</p> <p>3 DR. FERRELL: Any questions from the 4 board?</p> <p>5 Any questions from the public?</p> <p>6 Seeing none, the Chairman will 7 entertain a motion with respect to the proposed 8 regulation.</p> <p>9 MR. KINDER: Jimmy Kinder so moved.</p> <p>10 MR. SCHULTZE: I'll second.</p> <p>11 DR. FERRELL: Second.</p> <p>12 Any discussion on the motion? Seeing 13 none, we'll proceed with a roll call.</p> <p>14 MS. FIELDS: Mr. Auer?</p> <p>15 MR. AUER: Yes.</p> <p>16 MS. FIELDS: Dr. Ferrell?</p> <p>17 DR. FERRELL: Yes.</p> <p>18 MS. FIELDS: Mr. Kinder?</p> <p>19 MR. KINDER: Yes.</p> <p>20 MS. FIELDS: Ms. Lowry?</p> <p>21 MS. LOWRY: Yes.</p> <p>22 MS. FIELDS: Mr. Mason?</p> <p>23 MR. MASON: Yes.</p> <p>24 MS. FIELDS: Mr. Munson?</p> <p>25 MR. MUNSON: Yes.</p>



<p>Page 21</p> <p>1 MS. FIELDS: Mr. Schultze?</p> <p>2 MR. SCHULTZE: Yes.</p> <p>3 MS. FIELDS: Mr. Tatum?</p> <p>4 MR. TATUM: Yes.</p> <p>5 MS. FIELDS: Mr. Paque?</p> <p>6 MR. PAQUE: Yes.</p> <p>7 MS. FIELDS: Motion passed.</p> <p>8 DR. FERRELL: All right. That brings us</p> <p>9 to agenda item number 9, Rulemaking with respect to</p> <p>10 OAC Title 252 Section - wow, I'll get this straight</p> <p>11 - 205 Chapter 606 - there we go - the "Oklahoma</p> <p>12 Pollutant Discharge Elimination System Standards".</p> <p>13 Brian, the floor is yours.</p> <p>14 MR. DUZAN: Okay. 252:606. Again, all</p> <p>15 the public participation that we've talked about for</p> <p>16 Chapter 306 applies here.</p> <p>17 For permanent rulemaking, DEQ staff</p> <p>18 proposed an update of the federal rules incorporated</p> <p>19 by reference from July 12, 2023 to July 8, 2024.</p> <p>20 The final regulatory changes include:</p> <p>21 Clean Water Act Section 401 Water Quality</p> <p>22 Certification Improvement Rule; EPA's finalized</p> <p>23 changes to the test procedures required to be used</p> <p>24 by industries and municipalities when analyzing</p> <p>25 wastewater and other samples; changes to the Steam</p>	<p>Page 23</p> <p>1 MR. AUER: Auer, second.</p> <p>2 DR. FERRELL: Any discussion on the</p> <p>3 motion? Seeing none, Quiana, would you please call</p> <p>4 the roll?</p> <p>5 MS. FIELDS: Mr. Auer?</p> <p>6 MR. AUER: Yes.</p> <p>7 MS. FIELDS: Dr. Ferrell?</p> <p>8 DR. FERRELL: Yes.</p> <p>9 MS. FIELDS: Mr. Kinder?</p> <p>10 MR. KINDER: Yes.</p> <p>11 MS. FIELDS: Ms. Lowry?</p> <p>12 MS. LOWRY: Yes.</p> <p>13 MS. FIELDS: Mr. Mason?</p> <p>14 MR. MASON: Yes.</p> <p>15 MS. FIELDS: Mr. Munson?</p> <p>16 MR. MUNSON: Yes.</p> <p>17 MS. FIELDS: Mr. Schultze?</p> <p>18 MR. SCHULTZE: Yes.</p> <p>19 MS. FIELDS: Mr. Tatum?</p> <p>20 MR. TATUM: Yes.</p> <p>21 MS. FIELDS: Mr. Paque?</p> <p>22 MR. PAQUE: Yes.</p> <p>23 MS. FIELDS: Motion passed.</p> <p>24 DR. FERRELL: All right. Now we have</p> <p>25 agenda item 10, rulemaking with respect to OAC 252</p>
<p>Page 22</p> <p>1 Electric Power Generating Effluent Guidelines final</p> <p>2 rule that revises the technology-based effluent</p> <p>3 limitation guidelines and standards for the steam</p> <p>4 electric power generating point source category; and</p> <p>5 lastly, EPA designated two per- and polyfluoroalkyl</p> <p>6 substances - perfluorooctanoic acid, or PFOA, and</p> <p>7 perfluorooctanesulfonic acid, or PFOS, including</p> <p>8 their salts and structural isomers, as hazardous</p> <p>9 substances under Section 102(a) of the Comprehensive</p> <p>10 Environmental Response, Compensation, and Liability</p> <p>11 Act, or CERCLA.</p> <p>12 In conclusion, the WQMAC recommended</p> <p>13 this rule to the EQB by unanimous vote. If you have</p> <p>14 any questions, I or the staff will be happy to</p> <p>15 answer.</p> <p>16 DR. FERRELL: Before I ask for any</p> <p>17 questions, I want to commend Brian for his flawless</p> <p>18 pronunciation of those chemicals.</p> <p>19 And now ask the board, are there any</p> <p>20 questions?</p> <p>21 Any questions from the public?</p> <p>22 Seeing none, the Chair would</p> <p>23 entertain a motion with respect to the proposed</p> <p>24 regulation.</p> <p>25 MR. MUNSON: Munson moves for approval.</p>	<p>Page 24</p> <p>1 Chapter 631, with respect to "Public Water Supply</p> <p>2 Operation".</p> <p>3 Brian, the floor is yours.</p> <p>4 MR. DUZAN: Okay. And the chemical name's</p> <p>5 probably the easiest part of this when you get into</p> <p>6 some of this other stuff.</p> <p>7 Again, all the public participation</p> <p>8 we talked about for Chapter 306 applies here.</p> <p>9 For permanent rulemaking, DEQ staff</p> <p>10 proposed changes that are necessary for DEQ to</p> <p>11 retain its primacy for enforcing Safe Drinking Water</p> <p>12 Act requirements, to better align state regulations</p> <p>13 with new and existing federal regulations, and to</p> <p>14 both simplify and improve public water supply system</p> <p>15 operations and incident reporting.</p> <p>16 These changes include: updating the</p> <p>17 incorporation by reference from August 17, 2022 to</p> <p>18 October 30, 2024, the date the Lead and Copper Rule</p> <p>19 Improvements was promulgated; correcting grammatical</p> <p>20 and style changes throughout the rule; updating</p> <p>21 laboratory emergency notification requirements to</p> <p>22 match Tier 1 public notice requirements; replacing</p> <p>23 references to fecal coliform with E. coli; updating</p> <p>24 "Validation of data" section so that sampling</p> <p>25 procedures match the intent of the C.F.R.; updating</p>



<p>Page 25</p> <p>1 "Annual Consumer Confidence Report" section so that</p> <p>2 delivery requirements match new CCR requirements;</p> <p>3 updating the "Process Control Tests" section to</p> <p>4 remove total chlorine residual testing requirements</p> <p>5 for systems that use free chlorine; and updating</p> <p>6 "Operating records &amp; reports" section, requiring</p> <p>7 immediate notification to DEQ of lead action level</p> <p>8 exceedances, acts or threats of physical attacks,</p> <p>9 and acts or threats of cybersecurity attacks.</p> <p>10 In conclusion, the WQMAC recommended</p> <p>11 this rule to the EQB by unanimous vote. If you have</p> <p>12 any questions, I or the staff will be happy to</p> <p>13 answer.</p> <p>14 DR. FERRELL: Any questions from the</p> <p>15 board?</p> <p>16 Any questions from the public?</p> <p>17 Seeing none, the Chair would</p> <p>18 entertain a motion with respect to the proposed</p> <p>19 regulation.</p> <p>20 MR. PAQUE: So move.</p> <p>21 DR. FERRELL: Motion? Second?</p> <p>22 MR. TATUM: Second.</p> <p>23 DR. FERRELL: Any discussion on the</p> <p>24 motion? Seeing none, we'll proceed to roll call.</p> <p>25 MS. FIELDS: Mr. Auer?</p>	<p>Page 27</p> <p>1 participation that I talked about for Chapter 306</p> <p>2 applies here.</p> <p>3 For Chapter 710, DEQ received written</p> <p>4 public comments via an email dated December 16, 2024</p> <p>5 from Cathey Gillingham, again from the City of</p> <p>6 Tulsa. Most of the suggestions in the public</p> <p>7 comments were generally intended to clarify</p> <p>8 definitions and terms throughout the rule. The</p> <p>9 comments and DEQ's responses to the comments are</p> <p>10 included in the Executive Summary.</p> <p>11 For permanent rulemaking, DEQ staff</p> <p>12 proposed changes that include: adding a new</p> <p>13 definition for "Licensed experience" and deleting</p> <p>14 the definition for "Operating experience" to clarify</p> <p>15 that operating experience means licensed experience,</p> <p>16 and changing the name "Registered helper" to</p> <p>17 "Non-certified helper" to fit with the industry</p> <p>18 standard; citing military exception status for</p> <p>19 renewals; adding Section 252:710-1-7.1, titled</p> <p>20 "Submission of standard and general courses", that</p> <p>21 requires attendance records for classes to be</p> <p>22 submitted in an established format in order to</p> <p>23 ensure accuracy and transparency and allows approval</p> <p>24 of webinars and online courses that are less than</p> <p>25 four hours; changing the "Fee Schedules" to provide</p>
<p>Page 26</p> <p>1 MR. AUER: Yes.</p> <p>2 MS. FIELDS: Dr. Ferrell?</p> <p>3 DR. FERRELL: Yes.</p> <p>4 MS. FIELDS: Mr. Kinder?</p> <p>5 MR. KINDER: Yes.</p> <p>6 MS. FIELDS: Ms. Lowry?</p> <p>7 MS. LOWRY: Yes.</p> <p>8 MS. FIELDS: Mr. Mason?</p> <p>9 MR. MASON: Yes.</p> <p>10 MS. FIELDS: Mr. Munson?</p> <p>11 MR. MUNSON: Yes.</p> <p>12 MS. FIELDS: Mr. Schultze?</p> <p>13 MR. SCHULTZE: Yes.</p> <p>14 MS. FIELDS: Mr. Tatum?</p> <p>15 MR. TATUM: Yes.</p> <p>16 MS. FIELDS: Mr. Paque?</p> <p>17 MR. PAQUE: Yes.</p> <p>18 MS. FIELDS: Motion passed.</p> <p>19 DR. FERRELL: All right. Next up is</p> <p>20 agenda item number 11, Rulemaking with respect to</p> <p>21 OAC Title 252, Chapter 710 with respect to</p> <p>22 "Waterworks and Wastewater Works Operator</p> <p>23 Certification".</p> <p>24 Brian, take it away.</p> <p>25 MR. DUZAN: Okay. Again, all the public</p>	<p>Page 28</p> <p>1 for automatic adjustment of the fees, in accordance</p> <p>2 with the CPI, from every five years to annually;</p> <p>3 allowing DEQ to determine if non-community and minor</p> <p>4 systems are required to have certified operators</p> <p>5 based on the complexity of the system as determined</p> <p>6 by the DEQ; and including language to clarify</p> <p>7 approved equivalents.</p> <p>8 In conclusion, the WQMAC recommended</p> <p>9 this rule to the EQB by unanimous vote. If you have</p> <p>10 any questions, I or the staff will be happy to</p> <p>11 answer.</p> <p>12 DR. FERRELL: Any questions from the</p> <p>13 board?</p> <p>14 Any questions from the public?</p> <p>15 Seeing none, the Chair would</p> <p>16 entertain a motion with respect to the proposed</p> <p>17 regulation.</p> <p>18 MR. KINDER: Jimmy Kinder, motion to</p> <p>19 approve.</p> <p>20 DR. FERRELL: Okay. Second?</p> <p>21 MR. MUNSON: Second.</p> <p>22 DR. FERRELL: Motion and a second. Any</p> <p>23 discussion on the motion?</p> <p>24 Seeing none, we'll proceed to roll</p> <p>25 call vote.</p>



<p>Page 29</p> <p>1 MS. FIELDS: Mr. Auer?</p> <p>2 MR. AUER: Yes.</p> <p>3 MS. FIELDS: Dr. Ferrell?</p> <p>4 DR. FERRELL: Yes.</p> <p>5 MS. FIELDS: Mr. Kinder?</p> <p>6 MR. KINDER: Yes.</p> <p>7 MS. FIELDS: Ms. Lowry?</p> <p>8 MS. LOWRY: Yes.</p> <p>9 MS. FIELDS: Mr. Mason?</p> <p>10 MR. MASON: Yes.</p> <p>11 MS. FIELDS: Mr. Munson?</p> <p>12 MR. MUNSON: Yes.</p> <p>13 MS. FIELDS: Mr. Schultze?</p> <p>14 MR. SCHULTZE: Yes.</p> <p>15 MS. FIELDS: Mr. Tatum?</p> <p>16 MR. TATUM: Yes.</p> <p>17 MS. FIELDS: Mr. Paque?</p> <p>18 MR. PAQUE: Yes.</p> <p>19 MS. FIELDS: Motion passed.</p> <p>20 DR. FERRELL: Okay.</p> <p>21 MR. DUZAN: Thank you, sir.</p> <p>22 DR. FERRELL: Brian, thank you for your</p> <p>23 service yet again.</p> <p>24 Is Mr. Linn here today? All right.</p> <p>25 While Mr. Linn is making his way up, we're up to</p>	<p>Page 31</p> <p>1 Surface Impoundments, and CCR Management Units.</p> <p>2 Under this proposed rule, owners and operators of</p> <p>3 these CCR units will be required to come into</p> <p>4 compliance with a subset of regulations and commence</p> <p>5 closure of these units within specified timeframes.</p> <p>6 Additional minor changes include</p> <p>7 updated closure standards, increased documentation</p> <p>8 retention timelines for CCR websites, and citation</p> <p>9 corrections.</p> <p>10 The gist of this rulemaking is to add</p> <p>11 new requirements for Legacy CCR Surface Impoundments</p> <p>12 and CCR Management Units and to make other changes</p> <p>13 to ensure Oklahoma's state CCR program is at least</p> <p>14 as protective as the federal counterpart.</p> <p>15 I'll let you know that the Solid</p> <p>16 Waste Management Advisory Council met on January 11,</p> <p>17 2025, and yes, it was snowing that day, also. The</p> <p>18 council received no comments on the rule change and</p> <p>19 voted unanimously to approve the proposed changes.</p> <p>20 The council recommends that this</p> <p>21 board consider and approve these revisions to OAC</p> <p>22 252:517. Thank you.</p> <p>23 DR. FERRELL: Any questions from the</p> <p>24 board?</p> <p>25 MR. KINDER: I've got one. How many</p>
<p>Page 30</p> <p>1 agenda item number 12, which is with respect to OAC</p> <p>2 Title 252, Chapter 517, "Management of Coal</p> <p>3 Combustion Residuals".</p> <p>4 We would like to disambiguate</p> <p>5 something for our crowd. If you are a Boomer, "CCR"</p> <p>6 in this context does not refer to Creedence</p> <p>7 Clearwater Revival, if you are a Gen Xer or a</p> <p>8 Millennial, it does not refer to Cross Canadian</p> <p>9 Ragweed, but we are talking about coal combustion</p> <p>10 residuals.</p> <p>11 Mr. Linn.</p> <p>12 MR. LINN: I think CCR is a great band, by</p> <p>13 the way.</p> <p>14 DR. FERRELL: Noted for the record.</p> <p>15 MR. LINN: Mr. Chairman, Former</p> <p>16 Mr. Chairman, Vice Chair - she's not here today -</p> <p>17 Pete, Mr. Mason, good to see you all again, as well.</p> <p>18 I'm Jim Linn, the Solid Waste</p> <p>19 Management Advisory Council Chair. What we have for</p> <p>20 you today is DEQ is proposing to amend the OAC</p> <p>21 252:517 to incorporate the federal changes to</p> <p>22 maintain Oklahoma's Coal Combustion Residual, CCR,</p> <p>23 program approval.</p> <p>24 Included are the new requirements for</p> <p>25 two formerly unregulated CCR units, Legacy CCR</p>	<p>Page 32</p> <p>1 Legacy sites are we talking about here, about,</p> <p>2 approximately? Just curious.</p> <p>3 MR. LINN: Zero? I think Kelly is</p> <p>4 motioning zero presently.</p> <p>5 MR. KINDER: I like that number.</p> <p>6 DR. FERRELL: Agreed.</p> <p>7 Any other questions from the board?</p> <p>8 Any questions from the public?</p> <p>9 Seeing none, the Chair would</p> <p>10 entertain a motion with respect to the proposed</p> <p>11 regulation.</p> <p>12 MR. SCHULTZE: Pete Schultze, I'll make a</p> <p>13 motion to approve.</p> <p>14 DR. FERRELL: Motion. Second?</p> <p>15 MS. LOWRY: Second.</p> <p>16 DR. FERRELL: Second? Any discussion on</p> <p>17 the motion?</p> <p>18 Seeing none, Quiana, please call the</p> <p>19 roll.</p> <p>20 MS. FIELDS: Mr. Auer?</p> <p>21 MR. AUER: Yes.</p> <p>22 MS. FIELDS: Dr. Ferrell?</p> <p>23 DR. FERRELL: Yes.</p> <p>24 MS. FIELDS: Mr. Kinder?</p> <p>25 MR. KINDER: Yes.</p>



<p>Page 33</p> <p>1 MS. FIELDS: Ms. Lowry?</p> <p>2 MS. LOWRY: Yes.</p> <p>3 MS. FIELDS: Mr. Mason?</p> <p>4 MR. MASON: Yes.</p> <p>5 MS. FIELDS: Mr. Munson?</p> <p>6 MR. MUNSON: Yes.</p> <p>7 MS. FIELDS: Mr. Schultze?</p> <p>8 MR. SCHULTZE: Yes.</p> <p>9 MS. FIELDS: Mr. Tatum?</p> <p>10 MR. TATUM: Yes.</p> <p>11 MS. FIELDS: Mr. Paque?</p> <p>12 MR. PAQUE: Yes.</p> <p>13 MS. FIELDS: Motion passed.</p> <p>14 DR. FERRELL: Thank you, Mr. Linn, I</p> <p>15 appreciate that.</p> <p>16 That concludes our regulatory agenda</p> <p>17 for the day. We will now move on to agenda item</p> <p>18 number 13, which is our Executive Director's Report.</p> <p>19 Mr. Singletary.</p> <p>20 MR. SINGLETARY: Good morning, everyone.</p> <p>21 As we all know, we had a president -- a new</p> <p>22 president sworn in yesterday, and with a new</p> <p>23 presidential administration comes a new EPA</p> <p>24 administrator and changes in policy. We don't know</p> <p>25 exactly what those policies are necessarily going to</p>	<p>Page 35</p> <p>1 Indian country.</p> <p>2 And historically, that is applied to</p> <p>3 the Tribal trust land, essentially, maybe 100,000</p> <p>4 acres scattered all over the state; however, after</p> <p>5 the Supreme Court's decision in McGirt back in 2020,</p> <p>6 most of Eastern Oklahoma ended up you falling within</p> <p>7 the definition of -- the federal definition of</p> <p>8 Indian country, which called into question our</p> <p>9 approval to implement these federal programs in that</p> <p>10 eastern half of the state.</p> <p>11 It's very similar to what happened</p> <p>12 with the Department of Mines. After McGirt, the</p> <p>13 Department of Mines no longer had authority to</p> <p>14 implement Department of Interior programs in Eastern</p> <p>15 Oklahoma, and the agency's functioning staff was</p> <p>16 essentially cut in half after that.</p> <p>17 Fortunately for us and our</p> <p>18 EPA-approved programs, Senator Inhofe included a</p> <p>19 provision in the 2005 transportation bill that's</p> <p>20 referred to as SAFETEA. Under SAFETEA, the State of</p> <p>21 Oklahoma has ability to request approval from EPA to</p> <p>22 implement EPA-approved programs in Indian country if</p> <p>23 the State has already approved to implement those</p> <p>24 programs in non-Indian country. The statute says</p> <p>25 that if the State has already approved, then EPA</p>
<p>Page 34</p> <p>1 be, but we're very optimistic and we look forward to</p> <p>2 working with the new administration in our mission</p> <p>3 here in Oklahoma.</p> <p>4 I either know personally or know of</p> <p>5 quite a few of the people that I hear are going to</p> <p>6 be nominated positions with the new administration</p> <p>7 and I'm pretty excited to see what is to come. But</p> <p>8 in the meantime, we are still in that, you know,</p> <p>9 kind of transition period where there was a lot of</p> <p>10 activity at the end of the last administration, we</p> <p>11 anticipate a lot of activity at the beginning of the</p> <p>12 new administration, so we are going to be navigating</p> <p>13 that as best we can; so stay tuned on that.</p> <p>14 Speaking of a lot of activity on the</p> <p>15 way out, last week on the way out the door, the</p> <p>16 Biden EPA issued a very -- pretty significant</p> <p>17 decision related to our authorization under SAFETEA,</p> <p>18 I know you all have been watching that pretty</p> <p>19 closely over the years.</p> <p>20 For those that are new to the board,</p> <p>21 when we receive approval to implement a federal</p> <p>22 program in Oklahoma, whether it's our Safe Drinking</p> <p>23 Water Act program, our Clean Water Act program, our,</p> <p>24 you know, Hazardous Waste program, whatever it is,</p> <p>25 there's typically a carve-out in there related to</p>	<p>Page 36</p> <p>1 shall approve the request to implement it in Indian</p> <p>2 country, as well.</p> <p>3 So shortly after the McGirt decision</p> <p>4 was issued in 2020, the State requested approval</p> <p>5 under SAFETEA. At that time, the State only</p> <p>6 requested it continue implementing the environmental</p> <p>7 programs in the same manner and the same degree as</p> <p>8 it had historically done.</p> <p>9 So just a few months later, in</p> <p>10 October of 2020, the Trump administration approved</p> <p>11 Oklahoma's request and DEQ was able to continue to</p> <p>12 implement these programs throughout the state, as</p> <p>13 we've done historically.</p> <p>14 After the Biden administration took</p> <p>15 over, the Biden EPA - back on December 22nd of '21 -</p> <p>16 expressed its interest in reconsidering and possibly</p> <p>17 revoking that SAFETEA approval.</p> <p>18 They then took comment on it in the</p> <p>19 beginning of -- or, during 2021 and then didn't do</p> <p>20 anything with it for about three years, until last</p> <p>21 week, on the way out the door, they issued a</p> <p>22 decision revoking the previous approval and upending</p> <p>23 the process that has been in place since these</p> <p>24 programs were established, and they issued a new</p> <p>25 approval with some significant and very onerous</p>



<p>1 conditions attached to it.</p> <p>2 These conditions provide mandated</p> <p>3 points during which the governed Tribes must be</p> <p>4 allowed to participate in DEQ decision-making as it</p> <p>5 pertains to the many thousands of final agency</p> <p>6 actions that occur each year.</p> <p>7 So these final agency actions</p> <p>8 include, but aren't limited to, the promulgation of</p> <p>9 rules; the issuance of permits, licenses and other</p> <p>10 approvals, including general authorizations;</p> <p>11 establishing of standards; and all other final</p> <p>12 agency actions, which include the 100 or so</p> <p>13 administrative compliance orders and consent orders</p> <p>14 that we issue every year.</p> <p>15 I do want to say regardless of</p> <p>16 whether the governed Tribes actually engage in these</p> <p>17 mandated processes, the mere requirement that DEQ</p> <p>18 satisfy the Biden administration's conditions in</p> <p>19 order to maintain our approval to implement these</p> <p>20 programs in Eastern Oklahoma is going to create a</p> <p>21 new and substantial level of bureaucracy that</p> <p>22 doesn't currently exist.</p> <p>23 Obviously and beyond question, DEQ</p> <p>24 respects the sovereignty of the governed Tribes and</p> <p>25 we welcome and we encourage Tribal participation;</p>	<p>Page 37</p> <p>1 But regardless of the outcome,</p> <p>2 obviously we plan to continue working with our</p> <p>3 Tribal partners in our common goal of protecting</p> <p>4 human health and the environment in Oklahoma. We</p> <p>5 shouldn't have to say that, but that's our goal.</p> <p>6 But we just -- having these</p> <p>7 requirements and these reporting requirements to</p> <p>8 EPA, and if we, you know, stub our toe somewhere it</p> <p>9 could potentially jeopardize the approval of our</p> <p>10 program because our program's condition, the</p> <p>11 approval's condition on compliance with all these</p> <p>12 requirements.</p> <p>13 So we're still kind of evaluating</p> <p>14 that and looking at the next course of action, but</p> <p>15 we just wanted to make you guys aware, that's a</p> <p>16 pretty significant development that happened just</p> <p>17 last week, so --</p> <p>18 MR. KINDER: Rob?</p> <p>19 MR. SINGLETARY: Yes, sir.</p> <p>20 MR. KINDER: It's my understanding that</p> <p>21 this also extends 50 miles outside of their</p> <p>22 territory?</p> <p>23 MR. SINGLETARY: That's correct. Yeah,</p> <p>24 it's not just the Indian country of those governed</p> <p>25 Tribes, but it's also 50 miles outside of that</p>
<p>1 however, the new conditions go beyond mere</p> <p>2 participation and actually create additional layers</p> <p>3 of bureaucracy that could easily jeopardize our</p> <p>4 approval to implement these programs in about half</p> <p>5 of the state of Oklahoma.</p> <p>6 I want to -- I think it's important</p> <p>7 to point out, too, that back in April of 2021, so</p> <p>8 about nine months before the Biden administration</p> <p>9 considered revoking that approval, I personally sent</p> <p>10 an email to our division directors and our chief</p> <p>11 engineers where we required that all of our</p> <p>12 permitting and rulemaking actions that required any</p> <p>13 type of public notice be sent directly to the</p> <p>14 potentially impacted tribes.</p> <p>15 So we already have a pretty robust</p> <p>16 engagement policy in place, but there's a huge</p> <p>17 difference between our current robust policy and</p> <p>18 what's being required by the EPA's conditional</p> <p>19 approval.</p> <p>20 We're hopeful that the new EPA</p> <p>21 administration is going to quickly rescind the Biden</p> <p>22 decision and restore the prior approval.</p> <p>23 Fortunately, we have about 120 days before the</p> <p>24 requirements actually go into place; so there's some</p> <p>25 time to get that all worked out.</p>	<p>Page 38</p> <p>1 Indian country, as well, any actions that would</p> <p>2 impact any facility located within 50 miles of one</p> <p>3 of those Indian country designated areas.</p> <p>4 MR. KINDER: We've never seen that before.</p> <p>5 MR. SINGLETARY: No, sir.</p> <p>6 MR. KINDER: At all.</p> <p>7 MR. MASON: Rob, do the Tribes in Oklahoma</p> <p>8 have much interest or input in this topic?</p> <p>9 MR. SINGLETARY: Well, like I said, we --</p> <p>10 I sent out that email and we instituted that policy</p> <p>11 back in April of 2021, and since then, we've sent</p> <p>12 out between 2-and-3,000 notices. And we've had some</p> <p>13 engagement, about 14 comments have been filed in</p> <p>14 those actions. So I mean, there is some interest,</p> <p>15 but not -- I mean, 14 out of 2-or-3,000 notices.</p> <p>16 MR. MASON: And are you aware of any</p> <p>17 comments to the Tribes through the current EPA about</p> <p>18 this policy that they have required?</p> <p>19 MR. SINGLETARY: Not that I know of, I</p> <p>20 don't -- we haven't been involved in those</p> <p>21 discussions.</p> <p>22 MR. MASON: Thank you.</p> <p>23 MR. SINGLETARY: All right. If there's no</p> <p>24 questions on that, then next up we've got our</p> <p>25 legislative update. We had our senate budget</p>
	<p>Page 39</p>
	<p>Page 40</p>



<p>Page 41</p> <p>1 hearing, I guess the week before last, went well, 2 and we have our house budget meeting scheduled for 3 tomorrow. 4       So I understand the state is a little 5 bit of a -- has a little -- appears to have a 6 shortfall this year, so -- and we're, you know, 7 trying to make our case over at the legislature. 8       There's also a lot of proposed bills 9 out there that have been filed that aren't DEQ 10 request bills that are going to have a direct impact 11 on DEQ, and we've been pretty busy responding to 12 questions from members of the legislature and 13 stakeholders, as well, on many of these bills. 14       I think, needless to say, it's going 15 to be another very, very active legislative session. 16 These bills range from anything from -- we've got a 17 battery recycling bill to a -- several biosolid 18 bills out there, as well, so we're getting -- 19 they're not DEQ request bills, but we are directly 20 impacted by them, so we're getting a lot of 21 questions about those. 22       Next for the really fun topic, 23 parking. So I don't know if any of you came in from 24 the south or from the west, but the work to begin 25 demolition of the existing garage began. We</p>	<p>Page 43</p> <p>1 he issued that last month. That goes into effect on 2 February 1st. 3       It does allow for some limited 4 exceptions and our parking garage doesn't fall 5 exactly within one of those exceptions, but I think 6 I can certify exceptions for some limited telework 7 for certain staff and still stay within the spirit 8 of the executive order. 9       So as it stands now, we have enough 10 dedicated park places leased for -- and when I say 11 "dedicated", some of these locations, a spot can 12 only be dedicated to one employee. So it can't be 13 shared; so you have to have a hang tag or a license 14 plate, you know, that it's dedicated to that one 15 spot so we can't have multiple employees share that. 16       So we've got enough of those spots 17 for the just over 100 employees that have to be in 18 the building at all times because of their job; 19 also, we have enough for the 100-or-so managers that 20 are based in the Oklahoma City office; and then we 21 have, I don't know, 20 or 30 staff that work a 4/10 22 flex schedule. 23       So we've got spots for all of them, 24 and then the rest of the staff, staff members who 25 are eligible for telework, will be allowed to</p>
<p>Page 42</p> <p>1 actually vacated the garage, I guess two weeks ago 2 yesterday. We're hopeful that the demolition is 3 going to be on time and complete by hopefully May or 4 June and then we can start construction of the new 5 garage soon thereafter. 6       The first couple of weeks have been a 7 little bit of a challenge. Unfortunately, there's 8 not a whole lot of unrestricted parking spaces 9 available in Downtown Oklahoma City; so we've had to 10 acquire parking spaces at seven different locations. 11       We knew it was going to be a fluid 12 situation with frequent changes just because of the 13 nature of the leases and everything, but I was a 14 little surprised on day two after we vacated the 15 garage, we actually lost 26 of our newly acquired 16 spots just on the second day; so that kind of sent 17 us scrambling quite a bit. 18       It turns out that the entity that 19 leased us those spaces didn't have the authority to 20 do so and the folks that were using them didn't 21 appreciate us showing up and filling their spots. 22       So it's going to be a little bit more 23 challenging also as we attempt to minimize 24 teleworking in order to stay within the spirit of 25 the governor's executive order which ended telework,</p>	<p>Page 44</p> <p>1 continue teleworking and they'll share the 2 unrestricted spaces that we have available. 3       So even with all that, the numbers 4 are still pretty tight, but recently we had a 5 benefactor step up and allow us to use, at no 6 charge, 60 additional spaces near one of his 7 restaurants, and we're very appreciative of his 8 generosity that this gives us a lot more 9 flexibility, and when we have overflow, when we have 10 big meetings or something, that staff can actually 11 park in that area. 12       There's no doubt that we're going to 13 have a lot of -- in the next 15 months or so a lot 14 more unforeseen challenges that come up, but I think 15 currently we're in pretty good shape when it comes 16 to parking. 17       Next up is staff news. So George 18 Russell is no longer our interim director of the 19 lab. We have taken the "interim" label off and he's 20 now officially the lab director; so we want to thank 21 George for all his amazing work stepping in. 22       [Applause.] 23       MR. SINGLETARY: George stepped in at a 24 very difficult time and has done a fantastic job. 25       Also in lab news, I want to</p>



<p>Page 45</p> <p>1 congratulate Dustin Davidson. Dustin is our new 2 assistant director in the lab, we're very excited to 3 have him in this new roll. He's going to be a great 4 partner for George, no doubt. 5 Dustin's been with DEQ for just over 6 18 years. He's been in the Land Protection Division 7 and, most recently, was the Manager of the 8 Restoration and Revitalization Section. He brings 9 with him extensive knowledge in procurement and 10 budgeting, as well as a degree in biology and 11 chemistry. So we think that's going to be a great 12 team up in the lab, happy to have him there. Is 13 Dustin here? 14 MR. DAVIDSON: I'm here. 15 MR. SINGLETARY: All right, Dustin. 16 Congratulations, man. 17 [Applause.] 18 MR. SINGLETARY: That takes me to a few 19 departures. First up, we've got Bryce Hulsey with 20 the Land Protection Division. Bryce is retiring on 21 February 1st. 22 Bryce has 34 years of service at the 23 State of Oklahoma Health Department and the DEQ, and 24 we want to congratulate Bryce and thank him for his 25 service at DEQ. And he was a United States Marine</p>	<p>Page 47</p> <p>1 the Land Protection Division. 2 Linzi, are you here? 3 MS. BHATTA: Yes, here in the back. 4 MR. SINGLETARY: She emailed me she was 5 going to try to be here. 6 [Applause.] 7 MR. SINGLETARY: All right. And then our 8 Employee of the Second Quarter is Jody White from 9 our Administrative Services Division, which is a big 10 deal because we've never had somebody from ASD be 11 selected as Employee of the Quarter. So stand up, 12 Jody. Good job, man. 13 [Applause.] 14 MR. SINGLETARY: The last thing related to 15 recognition is we've created a new category of 16 employee recognitions, and that is a team category 17 that we're going to recognize twice a year; so we're 18 referring to it as Team of the Half. 19 And our very first Team of the Half 20 consists of staff from both the Administrative 21 Services Division and the Air Quality Division: Val 22 Wortham, Paul Rogers, Karla Addington, Bridgett 23 Griffin, Amber Weitz, Daniel Ross, Eli Klimek. 24 And Beverly Botchlet-Smith gets 25 honorable mention. Because she's a manager we can't</p>
<p>Page 46</p> <p>1 before coming to the DEQ; so he's definitely earned 2 some downtime. 3 Next - this is a big one, too - Lloyd 4 Kirk, our Director of Business &amp; Regulatory Affairs, 5 is retiring March 1st. Lloyd's had a couple of 6 stints with the state and with DEQ, and I think your 7 total service is around two decades; right? 8 MR. KIRK: Yeah. 9 MR. SINGLETARY: He's been a huge part of 10 the team here at DEQ, the leadership team and our 11 outreach team, and he's definitely going to be 12 missed, too. So March 1st will be his first day of 13 retirement. 14 And then, lastly, I want to 15 congratulate Vicki Tran, our former Deputy Secretary 16 of Environment, whose last day was last Friday. 17 Vicki started her career working for EPA during the 18 first Trump administration, and she's going to be 19 returning to D.C. for a second stint; so we hope to 20 continue our excellent relationship with her while 21 she's in D.C. 22 Lastly, Employees of the Quarter. We 23 didn't have our Employee of the First Quarter 24 selected in time for the last meeting; so I wanted 25 to recognize her today. We've got Linzi Bhatta from</p>	<p>Page 48</p> <p>1 actually name her, but she's getting mentioned. 2 Recently, we had an unexpected 3 accident involving one of our employees, and this 4 team showed some exemplary teamwork and dedication 5 and responded very quickly and in a coordinated 6 manner that helped ensure the safety of our employee 7 and secured the state assets, as well; so we wanted 8 to recognize them and thank them for going above and 9 beyond when that occurred. 10 Last thing I have is we are going to 11 host a lab tour for any board members that are 12 interested and members of the public. If anyone is 13 interested in participating in a lab tour after this 14 meeting, we'll meet maybe 15 minutes after the 15 meeting concludes. We can just meet here in the 16 Multipurpose Room and we can start that tour if 17 anyone's interested. 18 That's all I have. 19 DR. FERRELL: Any questions from the board 20 with respect to the report? 21 Any questions from the public? 22 Rob, a special thanks to you and your 23 team for everything that you've done, but especially 24 keeping your eyes firmly on our safety delegation 25 issues, which can be complex. The next few months</p>




<p>Page 49</p> <p>1 are going to be very dynamic, I know, but we 2 appreciate you guys staying on top of that issue for 3 us. 4 That brings us to agenda item 14, our 5 Budget Update and Financial Overview for FY 2025. 6 Ms. Kathy. 7 MS. AEBISCHER: Good morning, Mr. Chair, 8 Members of the Board. Kathy Aebischer, Chief 9 Financial Officer For DEQ. 10 So if we look at our revenue through 11 the first half of the year, ending December 31st, in 12 total we've collected 80 percent of our projected 13 revenue, compared to 69 percent last year. And one 14 of the reasons for that is when our customers send 15 EFTs, it goes into a state account. That's all 16 state agencies, all customers go into one account, 17 and if we're not told it's there or if the wire 18 transfer doesn't say "DEQ", it's hard for us to 19 locate it. 20 So we went and did a project to go 21 through all of the transfers, which are thousands. 22 And so this reconciliation we found some transfers, 23 and so this is why, and they're over multiple years. 24 So what we've decided to do, we've 25 tried to work with the treasurer to kind of set up a</p>	<p>Page 51</p> <p>1 a majority of our money expended is revolving funds, 2 and we have the PREP Funds that are outstanding that 3 we hope to be -- start moving on those. 4 Do we have any questions? 5 DR. FERRELL: Any questions from the 6 board? 7 MR. KINDER: I've got a question, Kathy. 8 I know you're capturing the expenses from the 9 parking garage, and so where would we see that in 10 all of this? And can -- maybe in the future, we 11 might want to have the garage broke out, just be 12 kind of fun to watch, I guess. 13 MS. AEBISCHER: Yes. So you'll see that 14 on the Building Construction, some there, and then 15 Professional Services is the major portion that 16 we'll see it. 17 MR. KINDER: Okay. 18 MS. AEBISCHER: And then those funds are 19 -- if you see the first line, 19302, General 20 Appropriation Funds, the \$16 million, that's those 21 separate funds. You'll see we've already expended 22 about \$400,000 on the initial architect. So that's 23 where you'll see it. 24 MR. KINDER: It was there, I just didn't 25 see it.</p>
<p>Page 50</p> <p>1 separate account since we get so many payments, and 2 so that -- while we're waiting on that, if they'll 3 approve it, we've decided not to accept EFTs for 4 less than \$20,000 just because the process is very 5 onerous on finance. 6 We do have other payment options: 7 credit card, electronic check over the phone, in 8 person, and you can mail your check in. So we still 9 have plenty of options for our customers, but this 10 way we'll ensure that we collect the revenue within 11 the fiscal year we receive it. So that's why you're 12 seeing the difference on our revenue. 13 And if we go and look at 14 expenditures, we have expended about \$38 million to 15 date, we've encumbered \$97 million. As Rob 16 indicated, our parking garage is starting off, so 17 those are large expenditures we'll be starting to 18 have. 19 We have both Guymon - if you remember 20 the Mesa Water Project, the \$20 million - and Tulsa 21 Levee have both been under contract now, and so 22 hopefully those projects will start to move. I know 23 that the Guymon has a ceremony this week to kick off 24 their project, so we're excited for that. 25 If you look at the sources of funds,</p>	<p>Page 52</p> <p>1 MS. AEBISCHER: Oh, that's all right. 2 MR. KINDER: Thank you. 3 MS. AEBISCHER: There's a lot to see. 4 DR. FERRELL: Any other questions from the 5 board? 6 Any questions from the public? 7 Kathy, I want to express special 8 appreciation to you and your squad for all of the 9 extra legwork that's involved in running down 10 thousands of transactions I know are not always 11 easily labeled or identified in those EFTs. 12 Nobody's tried to pay with NFTs, have 13 they? We might need a policy on that, but we'll 14 kick that can down the road. Thank you guys for 15 your work on that. 16 Anything else for Kathy? 17 MR. KINDER: If an EFT is not labeled, 18 won't it just go back into the general fund 19 somewhere in the big -- 20 MS. AEBISCHER: It stays in that fund and 21 it's unclaimed property. 22 DR. FERRELL: There you go. I see Jimmy's 23 eyes widening. Jimmy's going to hop on that 24 unclaimed property website, so yeah. 25 MR. KINDER: Yeah. Okay. Thank you.</p>



<p>Page 53</p> <p>1 DR. FERRELL: All right. Thank you, 2 Kathy, we appreciate you. 3 All right. Agenda item 15, New 4 Business. Is there any business that could not 5 reasonably have been foreseen prior to the 6 preparation of the agenda that needs to come before 7 the board today? 8 Going once -- Mr. Kirk. 9 MR. KIRK: This is just a short comment. 10 Can you hear me okay? Where's Kelly at? Kelly will 11 tell me to raise my voice. 12 But anyway, I just wanted to thank 13 the board. And to all the board members, to Rob, to 14 all my fellow directors, thanks for letting me serve 15 for 20 years. It's been an honor and privilege to 16 work for the great state of Oklahoma, and I just 17 wanted to thank you so much for giving me that 18 chance. 19 And I think you guys know this, we're 20 truly blessed at this agency to have the leadership 21 of Rob, Mark, Madison, the board, everybody out 22 here. We're a very blessed agency from a leadership 23 perspective, so I just -- I hope the employees 24 understand that. 25 And I was -- I wanted to reflect, I</p>	<p>Page 55</p> <p>1 just think, you know, you're -- you have that in 2 this room. 3 And that's what I thought of Neal and 4 that's what I think of you, Rob, so I just want to 5 thank you for your leadership, and thank you, board, 6 for letting me speak. Thank you. 7 [Applause.] 8 MR. SINGLETARY: Thank you, Lloyd. 9 DR. FERRELL: And Lloyd, I want to add, 10 too, we want to properly commemorate your career and 11 service somewhere down the road, but I want to say 12 it right now. 13 The work that you have done has been 14 phenomenal in its respect of helping our businesses 15 do business in a way that promotes environmental 16 stewardship, which is what we're trying to do, to 17 drive our country forward in a responsible way, and 18 you've done tremendous service in that regard, so we 19 sure appreciate you. 20 Anything else that needs to come 21 before the board? Last call. Last call. 22 All right. Our next meeting is 23 scheduled for June 10, 2025, that will be after our 24 legislative session. What will the Oklahoma 25 legislature do this time? Will we finally push</p>
<p>Page 54</p> <p>1 went to Neal McCaleb's funeral this last week, and 2 Neal McCaleb was actually a mentor and a friend of 3 mind. And we lost a giant in Neal McCaleb, we lost 4 a giant. 5 So he was a -- worked in the private 6 sector, worked in the public sector, was a spiritual 7 giant also, and not a lot of people know that. But 8 I was blessed to get to know him and to have talked 9 with him throughout my career. 10 And I say that -- you know, actually 11 I've got to say something a little funny. During 12 the funeral, one of the sons said, 'Well, at 68, my 13 dad did this', and my wife goes, 'Don't you dare 14 think about it', in terms of his career, and so -- 15 'Don't you dare'. 16 But I say that just because, you 17 know, Neal McCaleb -- Neal had that public/private 18 sector experience that made him so a value to our 19 state, and you know, our next giant, you know, we 20 have in this room is Rob Singletary. 21 He's got that public/private sector 22 experience - and I truly believe this - he's got the 23 heart and passion for the people of Oklahoma, for 24 the environment, and this great -- to protect the 25 environment and the health of the citizens. And I</p>	<p>Page 56</p> <p>1 Michelle Wynn over the edge? What's going to happen 2 in the first 100 days in the new administration, who 3 knows? Tune in to our next exciting episode to find 4 out. We might have a lot of work, we might have 5 none, who knows. 6 But that will be scheduled for June 7 10, 2025, at 9:30 a.m. here in the DEQ office in the 8 Multipurpose Room. 9 That concludes our formal agenda. 10 With that, the Chair would entertain a motion to 11 adjourn. 12 MR. MUNSON: So moved. 13 DR. FERRELL: Motion. 14 MR. PAQUE: Second. 15 DR. FERRELL: Second. Any discussion? 16 Ms. Quiana? 17 MS. FIELDS: Mr. Auer? 18 MR. AUER: Yes. 19 MS. FIELDS: Dr. Ferrell? 20 DR. FERRELL: Yes. 21 MS. FIELDS: Mr. Kinder? 22 MR. KINDER: Yes. 23 MS. FIELDS: Ms. Lowry? 24 MS. LOWRY: Yes. 25 MS. FIELDS: Mr. Mason?</p>



<p>1 MR. MASON: Yes.</p> <p>2 MS. FIELDS: Mr. Munson?</p> <p>3 MR. MUNSON: Yes.</p> <p>4 MS. FIELDS: Mr. Schultze?</p> <p>5 MR. SCHULTZE: Yes.</p> <p>6 MS. FIELDS: Mr. Tatum?</p> <p>7 MR. TATUM: Yes.</p> <p>8 MS. FIELDS: Mr. Paque?</p> <p>9 MR. PAQUE: Yes.</p> <p>10 MS. FIELDS: Motion passed.</p> <p>11 DR. FERRELL: With that, we stand</p> <p>12 adjourned.</p> <p>13 (MEETING ADJOURNED AT 10:30 AM)</p> <p>14 DR. FERRELL: That then moves us to our</p> <p>15 public forum, so I will read our public forum</p> <p>16 statement.</p> <p>17 Welcome to this public forum of the</p> <p>18 Environmental Quality Board.</p> <p>19 Public input is valuable to the board</p> <p>20 and the department and we welcome your</p> <p>21 participation.</p> <p>22 Forums allow the public to make</p> <p>23 suggestions or express concerns about environmental</p> <p>24 laws, rules, or policy. However, concerns with an</p> <p>25 action or decision in a specific case or matter,</p>	<p>Page 57</p> <p>1 CERTIFICATE</p> <p>2 I, Jenny Longley, Certified Shorthand</p> <p>3 Reporter within and for the State of Oklahoma, do</p> <p>4 hereby certify that the above and foregoing meeting</p> <p>5 was by me taken in shorthand and thereafter</p> <p>6 transcribed; and that I am not an attorney for nor</p> <p>7 relative of any of said parties or otherwise</p> <p>8 interested in the event of said action.</p> <p>9 IN WITNESS WHEREOF, I have hereunto</p> <p>10 set my hand and official seal this 29th day of</p> <p>11 January, 2025.</p> <p>12</p> <p>13 </p> <p>14 Jenny Longley, CSR</p> <p>15 CSR # 1903</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 59</p>
<p>1 such as a particular permit application or</p> <p>2 enforcement case, should be communicated directly to</p> <p>3 the department. The board cannot and does not</p> <p>4 intervene, in those case-specific decisions. We</p> <p>5 also ask that you not use the forum to advertise or</p> <p>6 publicize commercial products or services.</p> <p>7 Because of the nature of the issues</p> <p>8 that are appropriate for the forum, you may not</p> <p>9 receive an immediate response to your comments.</p> <p>10 Department staff and/or the board generally will</p> <p>11 need some time to evaluate the comments and respond</p> <p>12 to them. If you desire to make comments at today's</p> <p>13 forum but you did not sign the sheet on the</p> <p>14 information table when you come in, would you please</p> <p>15 raise your hand?</p> <p>16 Do we have anyone signed in to make</p> <p>17 comments? And if you're in the obstructed-view</p> <p>18 seats, I apologize, I can't see around the columns.</p> <p>19 Anybody?</p> <p>20 Well, very good. Well, then we are</p> <p>21 really adjourned. Thank you all. Be safe, be warm,</p> <p>22 we'll see you guys in June if not before.</p> <p>23 (PROCEEDINGS ADJOURNED AT 10:31 AM)</p> <p>24</p> <p>25</p>	<p>Page 58</p>





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**ENVIRONMENTAL QUALITY  
BOARD**

Attendance Record  
**January 21, 2025**  
Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

<u>NAME</u> and/or <u>AFFILIATION</u>	<u>Address</u> and/or <u>Phone</u> and/or <u>E-Mail</u>
Malcolm Zachariah (DEQ)	
MIKE PAQUE DEQ-BD	
Kathy Aebischer DEQ	
Stacey Jucker DEQ	
Sheldon Tatum EQB	Sheldontatum17@gmail.com
Olivia Fields DEQ	
Mike Edwards DEQ	
Shannon L. Ferrell EQB	shannon.l.ferrell@okstate.edu
Brian Duzan WQMAC	
Pete Schullze EQB	
Karen Steele DEQ	
Kel. Kalliedz PFO	405 702 5171
Tim MURPHY DEQB	
Shelli Charrel DEQ	405 702 8157
George Russell DEQ	405-702-9129
Lloyd Lill DEQ	405-702-7112
Jim Linn SWMAC	405-297-2464
Nicholas Hahn DEQ	405-702-6188
Mark Hildebrand DEQ	405 702-6177
ERIN Haffield DEQ	
Jimmy Kuhn Board	
Brandi Lowry EQB	405 826-4807
Zac Pool DEQ	
Kyle Huffman DEQ	
Jonathan Allen DEQ	
John Brown DEQ	john.brown@deq.ok.gov





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## ENVIRONMENTAL QUALITY BOARD

Attendance Record

**January 21, 2025**

Oklahoma City, Oklahoma

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Address and/or Phone and/or E-Mail

Rich Auer DEQ	Longah, OK
Madison Minor DEQ	
Kelly Dixon DEQ	
Anne Marie Smith DEQ	
Cepul Eder DEQ	DEQ
Jennifer Boyle DEQ	DEQ
Brian Clagg DEQ	DEQ
MARK STASSEN DEQ	DEQ
KIRCH RILEY DEQ	DEQ
Jennifer Lewis OAG	OAG
Michelle Wynn DEQ	DEQ
Chris Rump DEQ	DEQ
Amber Edwards DEQ	DEQ
Cheryl Bradley DEQ	DEQ
Travis Mensik DEQ	DEQ
Usha Turner DEQ	DEQ
Linzi Bhatta	
Vance Pennington DEQ	DEQ
Susan Mensile DEQ	DEQ
MEUANIE FOSTER DEQ	DEQ
Jeff Biddick DEQ	DEQ
Lee Crater Council.	Council.