

REGULAR MEETING AGENDA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA ENVIRONMENTAL QUALITY BOARD

A Public Meeting: 9:30 a.m., Wednesday, January 21, 2026
DEQ Multipurpose Room
707 N. Robinson
Oklahoma City, Oklahoma 73101-1677

A copy of this notice and agenda has been posted in a prominent location at the offices of the Oklahoma Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, on January 16, 2026, at 4:30 p.m. A copy of this agenda is also available on DEQ's website at www.deq.ok.gov.

Please turn off cell phones

1. **Call to Order** – Shannon Ferrell, Chair
2. **Announcements** – Shannon Ferrell, Chair

Announcements will include the introduction of any new Board members or special meeting guests, as well as safety information for the current meeting venue and any other general housekeeping matters of interest to the Board. These announcements are for informational purposes only, and no action by the Board is required.

3. **Roll Call** – Quiana Fields, Secretary, Board & Councils
4. **Approval of Minutes** of November 6, 2025, Regular Meeting
5. **Election of Officers** – Election of Chair and Vice-Chair for Calendar Year 2026
6. **Rulemaking – OAC 252:100 – Air Pollution Control**
Subchapter 2 – Incorporation by Reference [AMENDED]
Appendix Q – Incorporation by Reference [AMENDED]

The Department is proposing to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations. The Department is also proposing to update the content in OAC 252:100, Appendix Q, Incorporation by Reference, to incorporate the latest changes to EPA regulations. The gist of these rule proposals and the underlying reason for the rulemaking is to incorporate the latest changes or additions to 40 C.F.R. Part 60, New Source Performance Standards (NSPS), 40 C.F.R. Parts 61 and 63, National Emission Standards for Hazardous Air Pollutants (NESHAP), and other EPA regulations referenced in Chapter 100.

- Presentation – Laura Lodes, Chair, Air Quality Advisory Council

- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

7. Rulemaking – OAC 252:100 – Air Pollution Control

Subchapter 11 – Alternative Emissions Reduction Plans and Authorizations [REVOKED]

Subchapter 33 – Control of Emission of Nitrogen Oxides [REVOKED]

The Department is proposing to revoke Subchapter 11, Alternative Emissions Reduction Plans and Authorizations, and Subchapter 33, Control of Emission of Nitrogen Oxides as they have been identified as outdated and ineffective. On February 3, 2020, Governor Stitt signed Executive Order 2020-03, which directed all state agencies to review “agency’s administrative rules to identify costly, ineffective, duplicative, and outdated regulations.” During DEQ’s comprehensive rule review, Subchapter 11 and Subchapter 33 were both identified as being potentially obsolete and ineffective. The gist of this rule proposal and the underlying reason for the rulemaking is to implement the Executive Order by “streamlining state government” through revocation of unnecessary rules.

- Presentation – Laura Lodes, Chair, Air Quality Advisory Council
- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

8. Rulemaking – OAC 252:100 – Air Pollution Control

Subchapter 49 – Oklahoma Emission Reduction Technology Rebate Program [AMENDED]

The Department is proposing to amend Subchapter 49, Oklahoma Emission Reduction Technology Rebate Program, in OAC 252:100, to implement recent changes to applicable provisions of the Oklahoma Emission Reduction Technology Incentive Act, 68 O.S. § 55006, et seq. DEQ and the Oklahoma Tax Commission jointly administer the "Oklahoma Emission Reduction Technology Rebate Program" to provide an incentive for "Emission Reduction Projects" – implementation of new and innovative technologies to reduce air pollutant emissions from oil and gas facilities. The gist of this rule proposal and the underlying reason for the rulemaking is to implement the Department's continuing responsibilities under the Oklahoma Emission Reduction Technology Incentive Act as revised during the 2025 Oklahoma Legislative Session.

- Presentation – Laura Lodes, Chair, Air Quality Advisory Council
- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

9. Rulemaking – OAC 252:205 – Hazardous Waste Management

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. The regulation changes include the following:

Incorporated are regulation amendments addressing manifest and electronic manifest (e-Manifest) requirements for shipments of hazardous waste, including those specific to hazardous waste imports and export; requirements pertaining to the international movement document for imports and exports of hazardous waste; the manifest data correction process, and the Discrepancy, Exception, and Unmanifested Waste Reports. Additionally, this rule modification makes technical corrections to address typographical errors in the e-manifest regulations.

Also incorporated are a rule change establishing 40 CFR Part 266 Subpart Q which describes alternative standards for the recovery and recycling of lower flammability hydrofluorocarbons and hydrocarbon substitutes as well as making conforming changes to corresponding parts of the hazardous waste regulations.

The final rule change incorporated serves to finalize five revisions to the August 9, 2023 direct final rule that made technical corrections to the 2016 Hazardous Waste Generator Improvements Rule, the 2019 Hazardous Waste Pharmaceutical Rule, and the 2018 Vacatur of the Definition of Solid Waste Rule. These five revisions were among eight amendments that were withdrawn due to the receipt of adverse comments.

- Presentation – Kinnamon Clark, Chair, Hazardous Waste Management Advisory Council
- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

10. Rulemaking – OAC 252:301 – Laboratory Accreditation

DEQ staff is proposing to update the rules to modify the title, clarify program definitions, correct references, and standardize language between other DEQ Lab Accreditation Program (LAP) rules. Additional proposed updates are to simplify the program renewal and application processes and fee calculations, remove the late application fee, and revise the annual accreditation period and timelines for submitting renewal applications and invoice payment. Other proposed changes are to update incorporations by reference for EPA methodologies and to make other amendments for conformity and added flexibility with method requirements under the EPA Primary Drinking Water regulations, National Standards for Solid Waste Methods, and EPA Test Procedures for the Analysis of Pollutants. The Department is also proposing rule amendments clarifying accreditation groups and types, proficiency testing, and laboratory assessments.

- Presentation – Brian Duzan, Chair, Water Quality Management Advisory Council

- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

11. Rulemaking – OAC 252:302 – Field Laboratory Accreditation

DEQ staff is proposing to update the rules to modify the title, clarify program definitions, correct references, and standardize language between other DEQ Lab Accreditation Program (LAP) rules. Additional proposed updates are to simplify the program renewal and application processes and fee calculations and revise the annual accreditation period and timelines for submitting renewal applications and invoice payment. Other proposed changes are to update incorporations by reference for EPA methodologies and make amendments allowing more flexibility with method requirements under the national program for EPA Test Procedures for the Analysis of Pollutants. The Department is also proposing rule amendments to clarify proficiency testing requirements.

- Presentation – Brian Duzan, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

12. Rulemaking – OAC 252:307 – TNI Laboratory Accreditation

DEQ staff is proposing to update the rules to modify the title, clarify program definitions, correct references, and standardize language between other DEQ Lab Accreditation Program (LAP) rules. Additional proposed updates are to simplify the program renewal and application processes and fee calculations, remove the late application fee, and revise the annual accreditation period and timelines for submitting renewal applications and invoice payment. Other proposed changes are to update incorporations by reference for EPA methodologies and to make other amendments for conformity and added flexibility with method requirements under the EPA Primary Drinking Water regulations, National Standards for Solid Waste Methods, and EPA Test Procedures for the Analysis of Pollutants. The Department is also proposing rule amendments to clarify proficiency testing requirements.

- Presentation – Brian Duzan, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Comments by the public
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13. Rulemaking – OAC 252:606 – Oklahoma Pollutant Discharge Elimination System (OPDES) Standards

DEQ is proposing to update the federal rules incorporated by reference from July 8, 2024, to January 17, 2025. The regulatory changes are minor in nature, primarily consisting of grammar and style changes.

DEQ is proposing updating the section on fees. Currently, Consumer Price Index (CPI) adjustments are made on July 1st every year for individual discharge permits and individual permit fees for industrial users. The proposed update is to apply the CPI to stormwater and other general discharge permit fees.

DEQ is proposing adding and modifying definitions to Subchapter 1. INTRODUCTION, as well as adding language to SUBCHAPTER 6. POINT SOURCE DISCHARGES for determination of reasonable potential for selenium and changing language to disallow monitoring frequency reductions for a parameter when the receiving water is impaired for that parameter.

- Presentation – Brian Duzan, Chair, Water Quality Advisory Council
- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

14. Rulemaking – OAC 252:626 – Public Water Supply Construction Standards

DEQ is proposing to update the rule to allow electronic submittal of plans and specifications and engineering reports; update references to International Fire Code (IFC) and American Water Works Association (AWWA); and to correct typographical errors and update other incorrect references.

Proposed updates to SUBCHAPTER 9. TREATMENT include providing a specific reference to the sedimentation portion of the clarification section; removing “the maximum detention time of the rapid mix basin, at design flow is 30 seconds” and replacing with “provide good mixing of the raw water with the chemicals applied and prevent deposition of solids in the mixing zone”; and, adding language noting a rapid mix detention time of not more than 30 seconds.

Another proposed update removes the word “Slow” from the title of Appendix E.

- Presentation – Brian Duzan, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

15. Rulemaking – OAC 252:627 – Operation and Maintenance of Water Reuse Systems

DEQ is proposing to update the rule to include Consumer Price Index (CPI) language allowing for the annual adjustment of fees based on the CPI. This will ensure consistently amongst the rules that require annual fees.

- Presentation – Brian Duzan, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

16. Rulemaking – OAC 252:656 – Water Pollution Control Facility Construction Standards

DEQ is proposing to update the rule to allow electronic submittal of plans and specifications and engineering reports and to update references to Metcalf & Eddy.

Proposed updates to SUBCHAPTER 13. PRELIMINARY TREATMENT STANDARDS adds a citation requiring Flow Equalization Basins (FEBs) be constructed with the same location requirements as lagoons to provide for groundwater protection.

A proposed update to SUBCHAPTER 16. BIOLOGICAL TREATMENT STANDARDS specifies that 4-inch piping is a minimum requirement for return sludge piping.

- Presentation – Brian Duzan, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Comments by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

17. Executive Director’s Report – Robert Singletary, Executive Director, DEQ

Mr. Singletary’s report may include significant agency accomplishments and activities since the last Board meeting, as well as information pertaining to budgetary and/or legislative matters. This report is for informational purposes only, and no action by the Board is required.

18. Federal Updates Report – Madison Miller, Deputy Executive Director, DEQ

Mrs. Miller’s report may include information pertaining to federal rulemaking, Congressional enactments, pending litigation involving the United States government and EPA, or other matters on the national scale that may be of interest to the Board. This report is for informational purposes only, and no action by the Board is required.

19. Budget Update and Financial Overview (FY 2026) – Kathy Aebischer, DEQ Director of Administrative Services

Ms. Aebischer's report will include an update and overview of DEQ's current budget for Fiscal Year 2026. This report is for informational purposes only. Although discussion may occur, no action by the Board is required.

20. New Business (Any matter not known about and which could not have been reasonably foreseen prior to the posting of agenda)

21. Next Meeting

The next regular meeting of the Environmental Quality Board is scheduled to be held on June 9, 2026, at 9:30 a.m., at the offices of the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma.

22. Adjournment

Public Forum – Following Adjournment – The Board meets several times a year at different locations across the State to hear the views and concerns of all Oklahomans about environmental issues. This opportunity is informal, and we invite you to follow the instructions provided during and at the conclusion of the Board meeting if you would like to speak during the forum. If necessary to accommodate the public, the Board Chair may decide to conduct the Forum prior to the Call to Order.

Should you desire to attend but have a disability and need an accommodation, please notify the DEQ three days in advance at 405-702-7100. For hearing impaired, the TDD Relay Number is 1-800-722-0353 for TDD machine use only.