

REGULAR MEETING AGENDA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA ENVIRONMENTAL QUALITY BOARD

A Public Meeting: 9:30 a.m., Wednesday, September 9, 2026
Guymon City Hall
424 N. Main Street
Guymon, OK 73942

A copy of this notice and agenda has been posted in a prominent location at the offices of the Oklahoma Department of Environmental Quality (DEQ), 707 N. Robinson, Oklahoma City, Oklahoma, on September 4, 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 the June 9, 2026, Regular Meeting
5. **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.

6. **Land Protection Division Update and Proposed Resolution** – Kelly Dixon, Division Director, Land Protection Division, DEQ

Presentations will be made on behalf of the Brownfields and SCAP program groups, followed by a presentation on grants, a presentation on the results of a five (5) year review of solid waste closure and post-closure costs, and a presentation of the annual solid waste fees report prepared pursuant to 27A O.S. § 2-10-802(E). A resolution has been proposed for the Board's consideration and action on annual solid waste fees report.

- Presentations by Aron Samwel, DEQ Brownfields program, and Kelly Dixon, Division Director, LPD.
- Questions, comments and discussion by the Board
- Discussion and possible action by the Board, which may include a roll call vote(s) on approval of the proposed resolution.

7. Petition to Initiate Rulemaking: Used Tires Recycling Compensation – Andy Skeith

A Petition to Initiate Rulemaking has been filed by RTR Environmental requesting that the EQB modify OAC 252:515-21-73 to allow multiple used tire facilities under common ownership and control to combine reporting into a single report, and also to submit a combined request for compensation under the capital reimbursement tier (27A O.S. § 2-11-401.4(E)).

- Presentation – Andy Skeith, RTR Environmental.
- Questions and discussion by the Board
- Discussion and possible action by the Board, which may include a vote to approve or deny the petition.

8. DEQ Operational Budget Request (FY 2028)

DEQ budget requests to the Governor through the Office of Management and Enterprise Services (OMES) require approval of the Board. The operational budget request for State Fiscal Year (SFY) 2028 (beginning July 1, 2027) must be submitted to OMES by October 1st of this year.

- Presentation - Kathy Aebischer, DEQ Director of Administrative Services
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include a roll call vote(s) on approval of the request

9. Budget Update and Financial Overview (FY 2027) – Kathy Aebischer, DEQ Chief Financial Officer and Director of Administrative Services

Ms. Aebischer's report will include an update and overview of DEQ's current budget for Fiscal Year 2027. This report is for informational purposes only. Although discussion may occur, no action by the Board is required.

10. Rulemaking - OAC 252:606 Oklahoma Pollutant Discharge Elimination System

Subchapter 1 – Introduction [AMENDED]

Subchapter 6 – Point Source Discharges [AMENDED]

Appendix L – Equations for Implementation of Numerical Criteria for Toxic Substances to Protect the Fish and Wildlife Propagation Beneficial Use [AMENDED]

DEQ is proposing to add and modify definitions to Subchapter 1, as well as adding language to SUBCHAPTER 6 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. New equations are proposed to be added to Appendix L consistent with the proposed changes to sections in Subchapters 1 and 6.

- Presentation – George Russell, IV, DEQ Water Quality Director
- Questions and discussion by the Board

This presentation is for informational purposes only, and no action by the Board is required.

11. Rulemaking - OAC 252:730 Oklahoma's Water Quality Standards

Subchapter 1 – General Provisions [AMENDED]

Subchapter 3 – Antidegradation Requirements [AMENDED]

Subchapter 5 – Surface Water Quality Standards [AMENDED]

Subchapter 7 – Groundwater Quality Standards [AMENDED]

Appendix A – Designated Beneficial Uses of Surface Waters [AMENDED]

Appendix E – Requirements for Development of Site Specific Criteria for Certain Parameters [AMENDED]

Appendix F – Statistical Values of the Historical Data for Mineral Constituents of Water Quality (Beginning October 1976 Ending September 1983, Except as Indicated) [AMENDED]

Appendix G – Numerical Criteria to Protect Beneficial Uses [AMENDED]

Appendix H – Beneficial Use Designations for Certain Limited Areas of Groundwater [AMENDED]

DEQ is proposing to comply with the Water Quality Standards Triennial Review and includes the following updates: add, remove and/or modify certain definitions; update Primary Body Contact Recreation by replacing confidence intervals with geometric mean and statistical threshold values, applicable to both E. coli and Enterococci; updating Secondary Body Contact Recreation to add numeric criteria for E. coli and enterococci based on EPA's water ingestion formula; adding language allowing the use of the copper biotic ligand model for development of copper site-specific criteria; adding language allowing for the potential use of multiple regression model for the creation of copper site-specific criteria; requiring the use of a fish tissue study for selenium site-specific criteria; removal of site-specific metals criteria that were not approved by EPA; removal of segment averages that were not approved by EPA; recalculation of certain criteria and the addition of Aquatic Life and Human Health criteria values based on EPA's recommended values; and, including an updated version of Appendix H that was missing in the most recent version of Chapter 730.

- Presentation – George Russell, IV, DEQ Water Quality Director
- Questions and discussion by the Board

This presentation is for informational purposes only, and no action by the Board is required.

12. Rulemaking - OAC 252:740 Implementation of Oklahoma's Water Quality Standards

- Subchapter 1 – General Provisions [AMENDED]
- Subchapter 3 – Implementation of Narrative Toxics Criteria to Protect Aquatic Life Using Whole Effluent Toxicity (WET) Testing [AMENDED]
- Subchapter 5 – Implementation of Numerical Criteria to Protect Fish and Wildlife From Toxicity Due to Conservative Substances [AMENDED]
- Subchapter 9 – Implementation of Criteria to Protect the Agriculture Beneficial Use [AMENDED]
- Subchapter 11 – Implementation of Temperature Criteria to Protect Fish and Wildlife Propagation Beneficial Use [AMENDED]
- Subchapter 13 – Implementation of Antidegradation Policy [AMENDED]
- Subchapter 15 – Use Support Assessment Protocols [AMENDED]
- Subchapter 17 – Implementation of Dissolved Oxygen Criteria to Protect Fish and Wildlife Propagation [AMENDED]

DEQ is proposing to comply with the Water Quality Standards Triennial Review and includes the following updates: add, remove and/or modify certain definitions; update reasonable potential to allow the use of a fish tissues study to confirm the need for a water quality-based effluent limit; update Assessment of Fish and Wildlife Propagation support to add fish tissue criteria as the preferred method for assessing waterbodies for selenium, with water column criteria being used if fish tissue is unavailable; and, adding Assessment of Secondary Body Contact Recreation support to add criteria values for assessment.

- Presentation – George Russell, IV, DEQ Water Quality Director
- Questions and discussion by the Board

This presentation is for informational purposes only, and no action by the Board is required.

13. Federal Updates – Madison Miller, Deputy Executive Director, DEQ

Mrs. Miller's report may include information pertaining to federal administrative, policy, and litigation developments that may affect the Board or the Department. This report is for informational purposes only, and no action by the Board is required.

14. Employee Disclosures – Jonathan Allen, DEQ General Counsel

The Environmental Quality Code requires DEQ employees involved in reviewing, issuing or enforcing permits to disclose financial interests they hold in entities regulated by the DEQ. The DEQ is required to submit these disclosures to the Board and make them part of the minutes. This is for informational purposes only, and no action by the Board is required.

15. Calendar Year 2027 Board Meeting Dates and Locations - Discussion and vote by the Board.

16. Executive Session

The Open Meetings Act, in Section 307 of Title 25 of the Oklahoma Statutes, authorizes the Board to enter into an executive session to discuss a pending investigation, claim, or action if it determines, with the advice of its attorney, that disclosure will seriously impair the ability of the Board to conduct the investigation, evaluate the claim, or prosecute the action.

- In open session, discussion by the Board.
- In open session, consideration of possible executive session to discuss pending and anticipated litigation, including pending cases CSD-2026-3237 and CSD-2026-3242, pursuant to Title 25 Oklahoma Statutes Section 307(B)(4) (discussion of pending investigation, claim, or action), if authorized by recorded majority vote of a quorum of the Board members present.
- In open session, if executive session approved, designation of a person to keep minutes in executive session.

17. Reconvene into open session

- In open session, roll call vote to reconvene regular Board meeting.

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

19. Next Meeting

The next regular meeting of the Environmental Quality Board is scheduled to be held on November 10, 2026, at 9:30 a.m., in Ada, Oklahoma. The meeting will be held at the Robert S. Kerr Environmental Research Center, 919 Kerr Research Dr, Ada, OK 74820.

20. 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.