

**MINUTES
ENVIRONMENTAL QUALITY BOARD
NOVEMBER 21, 2024
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA CITY, OKLAHOMA**

*Official EEO Approved
On January 21, 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 75 O.S., Section 311, with notice of the meeting given to the Secretary of State on September 20, 2024. The agenda was mailed to interested parties on November 12, 2024 and was posted at the DEQ on November 20, 2024. Mr. Mike Paque, Chair, called the meeting to order. Ms. Fields called roll and a quorum was confirmed.

MEMBERS PRESENT

Richard Auer
Mark Barton
John Faston
Shannon Ferrell
Ken Hixley
Johnny Kinder
Alexis Kindrick
Brandi Lawry
Steve Mason
Tim Munson
Mike Paque
Pete Schultze
Sheldon Tutum

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
Shelley Chast, Water Quality Division
Karen Steele, Water Quality Division
Pria Hatfield, Office of Communications
Kathy Achsicher, Administrative Services Division
Kelly Dixon, Land Protection Division
Travis Mensik, Environmental Compliance & Local Services
Beverly Hotchler-Smith, Air Quality Division
Gary Henry, Environmental Attorney
Mark Hildebrand, Chief of Staff
Kendal Stegmann, Air Quality Division
Chris Robitonsky, Environmental Attorney
Patrick Riley, Land Protection Division
Angela Hughes, Land Protection Division
Nick Hazelrigg, Environmental Attorney
Clifton Hoyle, Land Protection Division
George Russell, State Environmental Laboratory Services
Travis Couch, Environmental Attorney
Makenzie Zachariah, Air Quality Division
Melanie Foster, Air Quality Division
Joshua Kalfus, Air Quality Division
Rhonda Carson, Administrative Services Division
Susan Mensik, State Environmental Laboratory Services
Quinn Fields, Board & Council Secretary
Rachel Hildebrand, Legal Secretary

MEMBERS ABSENT

None

OTHERS PRESENT

Jennifer Lewis, Office of the Attorney General
Jenny Longley, Chief Reporter
Laura Lodes, Air Quality Advisory Council
Victoria Tran, Office of Secretary of Energy & Environment

Mr. Rich Auer entered the meeting after Item# 3, roll call vote.

Approval of Minutes Mr. Paque called for a motion to approve the September 10, 2024 Regular Meeting minutes. Dr. Ferrell moved to approve and Mr. Kinder made the second.

transcript pages 4 - 6

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Abstain	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultze	Yes
Ken Hirshey	Yes	Sheldon Tatum	Abstain
Jimmy Kinder	Yes	Mike Paque	Yes
Alexie Kindrick	Yes		

Rulemaking

Chapter 100. Air Pollution Control

Subchapter 2. Incorporation by Reference [AMENDED]

Appendix Q. Incorporation by Reference [AMENDED]

Mr. Paque called upon Ms. Laura Lodes, Chair of the Air Quality Advisory Council (AQAC), to present the rules. Ms. Lodes stated that the Department is proposing to update OAC 252:100, Appendix Q, Incorporation by Reference. In addition, the Department is proposing to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q. Hearing a question by the Board and none by the public, Mr. Paque called for a motion. Mr. Kinder moved to approve and Mr. Mason made the second.

transcript pages 6 - 10

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultze	Yes
Ken Hirshey	Yes	Sheldon Tatum	Yes
Jimmy Kinder	Yes	Mike Paque	Yes
Alexie Kindrick	Yes		

Rulemaking

Chapter 100. Air Pollution Control

Subchapter 8. Permits for Part 70 Sources and Major New Source Review Sources

Part 5. Permits for Part 70 Sources

252:100-8-6 [AMENDED]

Ms. Lodes stated that the Department is proposing to amend existing rule language in OAC 252:100-8-6, Permit Content, in response to the U.S. Environmental Protection Agency's (EPA's) recently promulgated changes to program requirements pursuant to the Federal Register notice entitled "Removal of Title 2 V Emergency Affirmative Defense Provisions From State Operating Permit Programs and Federal Operating Permit Program," 88 Fed. Reg. 47029 (July 21, 2023). The gist of this rule proposal and the underlying reason for the rulemaking is to comply with federal requirements by removing "affirmative defense" provisions in Oklahoma's Part 70 air quality permit program. Hearing no questions or comments by the Board or the public, Mr. Paque called for a motion. Dr. Ferrell moved to approve and Mr. Hirshey made the second.

transcript pages 11 - 14

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultze	Yes
Ken Hirshey	Yes	Sheldon Tatum	Yes
Jimmy Kinder	Yes	Mike Paque	Yes
Alexie Kindrick	Yes		

Chapter 100. Air Pollution Control

Subchapter 5. Registration, Emission Inventory and Annual Operating Fees

252:100-5-1.1. Definitions [AMENDED]

252:100-5-2.1. Emission inventory [AMENDED]

Subchapter 7. Permits for Minor Facilities

252:100-7-1.1. Definitions [AMENDED]

252:100-7-2.1. Minor permits for greenhouse gas (GHG) emitting facilities

252:100-7-15. Construction permit [AMENDED]

252:100-7-60.5 Oil and natural gas sector [AMENDED]

252:100-7-60.6. Emergency engine facilities [AMENDED]

252:100-7-60.7. Gasoline dispensing facilities and gasoline dispensing facilities with emergency engines [AMENDED]

Subchapter 8. Permits for Part 70 Sources and Major New Source Review (NSR) Sources

252:100-8-2. Definitions [AMENDED]

252:100-8-4. Requirements for construction and operating permits [AMENDED]

252:100-8-5. Permit applications [AMENDED]

252:100-8-31. Definitions [AMENDED]

252:100-8-33. Exemptions [AMENDED]

Ms. Lodes stated that the Department is proposing to clarify source eligibility criteria for the oil and natural gas sector Permit By Rule (PBR) and ensure that the current PBR allows facilities potentially subject to NSPS Subpart 600.00b to take legally and practically enforceable (LPE) limits to avoid applicability of the federal requirements for certain equipment. The proposed permanent rule amendments would replace the currently effective emergency rule. Additional changes will ensure that greenhouse gases (GHGs) are exempt from various requirements except for the federal requirement for a BACT analysis under the (major source) PSD program where another pollutant (non-GHG) triggers the requirement for a PSD permit and GHG emissions will increase by 75,000 tons CO₂e. Lastly, proposed changes authorize electronic submission of applications and clarify requirements applicable to minor source facilities that are later required by federal rule to obtain major source (Title V) operating permits. Hearing questions and comments by the Board and none by the public, Mr. Paque called for a motion. Mr. Schultze moved to approve and Mr. Auer made the second.

transcript pages 14 - 22

Richard Auer	Yes	Harold Lowery	Yes
Mack Burton	Yes	Steve Mason	Yes
John Paston	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultze	Yes
Ken Hirshey	Yes	Sheldon Litton	Yes
Jimmy Kinder	Yes	Mike Paque	Yes
Alexis Knudsen	Yes		

Rulemaking

Chapter 100. Air Pollution Control

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

252:100-49-1 Purpose and Applicability [AMENDED]

252:100-49-5 Definitions [AMENDED]

252:100-49-5 Program criteria and qualification determination [AMENDED]

Ms. Lodes stated that 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 responsibilities under the recently revised Oklahoma Emission Reduction Technology Incentive Act. Hearing no questions or comments by the Board in the public, Mr. Paque called for a motion. Mr. Munson moved to approve and Dr. Ferrell made the second.

transcript pages 22 - 23

Richard Auer	Yes	Brandi Lowrey	Yes
Mark Hutton	Yes	Steve Munson	Yes
John Eason	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultze	Yes
Ken Hirshey	Yes	Sheldon Tatum	Yes
Jimmy Kunder	Yes	Mike Paque	Yes
Alexis Kendrick	Yes		

Consideration of and Action on the Annual Environmental Quality Report – Mr. Paque called upon Ms. Madison Miller, Deputy Executive Director of the DEQ. Ms. Miller gave a presentation on the Annual Environmental Quality Report, which must be approved by the Board prior to its submission to the Governor, Speaker of the House and Senate President Pro Tempore by January 1 of each year. The statutory prescribed purpose of this report is to outline DEQ's annual funding needs for providing environmental services within its jurisdiction, reflect any new federal mandates and summarize DEQ-recommended statutory changes. The Environmental Quality Board is authorized to review, amend (as necessary) and approve the report. Following questions and comments by the Board and none by the public, Mr. Paque called for a motion to approve the report. Mr. Hirshey made a motion to approve the Oklahoma Environmental Quality Report as stated and Dr. Ferrell made the second,

transcript pages 26 - 62

Richard Auer	Yes	Brandi Lowrey	Yes
Mark Hutton	Yes	Steve Munson	Yes
John Eason	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultze	Yes
Ken Hirshey	Yes	Sheldon Tatum	Yes
Jimmy Kunder	Yes	Mike Paque	Yes
Alexis Kendrick	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 63 - 67

Mr. Paque left the meeting and turned it over to Dr. Ferrell to finish the agenda items.

transcript pages 67 - 68

Budget Status Report (FY 25) – Dr. Ferrell called upon Ms. Kathy Aebischer, Chief Financial Officer and Division Director of Administrative Services of the DEQ. Ms. Aebischer gave a presentation that included an update and outlook on DEQ’s budget for Fiscal Year 2025. No action by the Board is required.

minutes pages 68 – 73

New Business – None

Next Meeting – The next Regular Meeting is scheduled for Tuesday, January 21, 2025 at 9:30 a.m., in Oklahoma City, Oklahoma.

Adjournment – Dr. Ferrell called for a motion to adjourn. Mr. Kinder moved to adjourn and Mr. Tatum made the second. Meeting adjourned at 11:05 a.m.

minutes pages 74 – 75

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Pete Schultze	Yes
Kim Hensley	Yes	Sheldon Tatum	Yes
Jimmy Kinder	Yes	Mick Pague	Yes
Alexis Niednick	Yes		

Public Forum – No public forum issues were raised.

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

Page 1	Page 3
1 RESOLUTIONS, DEPARTMENT OF ENVIRONMENTAL QUALITY 2 Environmental Quality Board 3 RESOLUTION NO. 2024-0001 NOVEMBER 21, 2024 4 THE BOARD OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	1 All right. Go ahead and do the roll. 2 No announcements. 3 MS. FIELDS: Mr. Auer is absent. 4 Mr. Barton? 5 MR. BARTON: Yes. 6 MS. FIELDS: Mr. Easton? 7 MR. EASTON: Here. 8 MS. FIELDS: Dr. Farrell? 9 DR. FARRELL: Yes. 10 MS. FIELDS: Mr. Hershley? 11 MR. HERSHLEY: Present. 12 MS. FIELDS: Mr. Kinder? 13 MR. KINDER: Here. 14 MS. FIELDS: Ms. Kinder? 15 MS. KINDER: Here. 16 MS. FIELDS: Mr. Lowry? 17 MS. LOWRY: Here. 18 MS. FIELDS: Mr. Mason? 19 MR. MASON: Yes. 20 MS. FIELDS: Mr. Munson? 21 MR. MUNSON: Here. 22 MS. FIELDS: Mr. Schuker? 23 MR. SCHUKER: Here. 24 MS. FIELDS: Mr. Tatum? 25 MR. TATUM: Here.
Page 2	Page 4
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	1 MR. BARTON: Mr. Barton? Mr. Barton? 2 MR. BARTON: Thank you. Present. 3 MS. FIELDS: We have a quorum. 4 MR. BARTON: Of course I'm here. We have a 5 quorum. 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

Page 1

1 CORRECTION?

2 HEARING BOARD, HEARING BOARD, QUALITY, IF

3 you would call the roll, please.

4 MR. FIELD: We need to get a number.

5 DR. FURBER: Mr. Chan, move to approve

6 the minutes as stated.

7 MR. KINDER: Second, Jimmy Kinder

8 MR. PACQU: I have a motion and a second

9 Call the roll, please.

10 MR. FIELD: Mr. Chan is in attendance?

11 MR. AUCH: Yes.

12 MR. FIELD: Mr. Chan?

13 MR. AUCH: Yes.

14 MR. FIELD: Mr. Anderson?

15 MR. MASON: Yes.

16 MR. FIELD: Mr. Paulson?

17 MR. MASON: Absent.

18 MR. FIELD: Dr. Paulson?

19 DR. FURBER: Yes.

20 MR. FIELD: Mr. Heston?

21 MR. HESTON: Yes.

22 MS. FIELDS: Mr. Kinder?

23 MR. KINDER: Yes.

24 MS. FIELDS: Mr. Kindrich?

25 MR. KINDER: Yes.

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1 MR. FIELD: Mr. Heston?

2 MR. HESTON: Yes.

3 MS. FIELDS: Mr. Mason?

4 MR. MASON: Yes.

5 MR. FIELD: Mr. Heston?

6 MR. HESTON: Yes.

7 MS. FIELDS: Mr. Kindrich?

8 MR. KINDER: Yes.

9 MR. FIELD: Mr. Paulson?

10 MR. MASON: Absent.

11 MR. FIELD: Mr. Kinder?

12 MR. KINDER: Yes.

13 MR. FIELD: Motion passed.

14 MR. PACQU: Motion has passed.

15 Now that the agenda is over

16 BERNARD W. KUMARAKING: Chapter 100, Air Pollution

17 Control

18 We have a representation of the Air

19 Quality Council here, if you'd introduce yourself

20 and -- while you were probably going to do anyway,

21 the same

22 MR. LANGE: Good morning, Mr. Chairman and

23 members of the Professional Quality Board. I am

24 Linda Lange and I am speaking on behalf of the Air

25 Quality Council. We have several rules in front of

Page 3

1 you all today

2 The first rule we have is Chapter

3 100, "Air Pollution 100, "Air Pollution 100

4 Reference" The Commission is proposing to update

5 language in Subchapter 2, Incorporation by

6 Reference, to reflect the new name of incorporation

7 for Chapter 100, Chapter 100 of Title 10, 2024. The

8 proposal is in part of the current code of the

9 Title 10 of the Code of Federal Regulations,

10 Incorporation by Reference as a separate link

11 The purpose of the agenda is to

12 2024, Chapter 100, "Incorporation by Reference".

13 It is to incorporate the latest changes to the

14 regulations. Included are changes in modifications

15 to the Code of Federal Regulations, Chapter 100, Chapter 100, Chapter 100, Chapter 100

16 Chapter 100, Chapter 100, Chapter 100, Chapter 100

17 Chapter 100, Chapter 100, Chapter 100, Chapter 100

18 Chapter 100, Chapter 100, Chapter 100, Chapter 100

19 Chapter 100, Chapter 100, Chapter 100, Chapter 100

20 Chapter 100, Chapter 100, Chapter 100, Chapter 100

21 Chapter 100, Chapter 100, Chapter 100, Chapter 100

22 Chapter 100, Chapter 100, Chapter 100, Chapter 100

23 Chapter 100, Chapter 100, Chapter 100, Chapter 100

24 Chapter 100, Chapter 100, Chapter 100, Chapter 100

25 Chapter 100, Chapter 100, Chapter 100, Chapter 100

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1 the proposed rule. A summary of comments and staff

2 responses document is included in your 100 pages

3 The 100 pages document is included in the

4 appendix of the 100 pages document. The 100 pages

5 Air Quality Advisory Council, I recommend that the

6 board approve the proposed changes for Chapter 100, 2

7 and Appendix 100, Chapter 100, Chapter 100, Chapter 100

8 And there are questions?

9 MR. PACQU: Any questions, any board

10 members?

11 MR. LANGE: I have a question probably

12 Chapter 100, Chapter 100, Chapter 100, Chapter 100

13 are amendments change, the amendments change.

14 And particularly with the amendments change,

15 the amendments change may change. Is there any

16 Chapter 100, Chapter 100, Chapter 100, Chapter 100

17 amendments while the new work stream will?

18 MR. LANGE: I think we definitely do

19 amendments change with the new amendments,

20 Chapter 100, Chapter 100, Chapter 100, Chapter 100

21 There are some families for we going ahead and

22 incorporating them into the new law,

23 there are federal law

24 And if we have a 100, Chapter 100, Chapter 100

25 because part of our program, we get to enforce them.

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1 we have the regulations as that, was the that. If we
 2 don't, it's not required law and then it would be
 3 us to EPA to actually implement those requirements.
 4 If the new administration does kind
 5 of pivot on those, obviously we're going to be back
 6 before you to make whatever changes are necessary to
 7 implement those standards and it would be difficult
 8 but that would be the - probably the benefit of
 9 going forward and going ahead and not waiting
 10 Mr. MacCall. Thank you.
 11 MR. PAQUE: Would the staff collaborate?
 12 MR. MASON: No, sir.
 13 MR. MACCALL: Any other board member,
 14 questions of Laura? Comments?
 15 Is there any response of the public
 16 relevant or otherwise that that has a question or would
 17 like to make a comment? Nothing outside
 18 Do we have a motion to approve?
 19 Mr. Mason is going to make a
 20 MR. MASON: Motion would be the
 21 motion.
 22 MR. PAQUE: We have a motion and a second.
 23 MR. FIELDS: In Awe?
 24 MR. EASTON: Yes.
 25 MR. FIELDS: Mr. Bartlett?

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1 MR. EASTON: Yes.
 2 MS. FIELDS: Mr. Easton?
 3 MR. EASTON: Yes.
 4 MS. FIELDS: Dr. Ferrick?
 5 DR. FERRICK: Yes.
 6 MS. FIELDS: Mr. Hirschey?
 7 MR. HIRSHEY: Yes.
 8 MS. FIELDS: Mr. Kinder?
 9 MR. KINDER: Yes.
 10 MS. FIELDS: Ms. Kindrick?
 11 MS. KINDRICK: Yes.
 12 MS. FIELDS: Ms. Lowry?
 13 MS. LOWRY: Yes.
 14 MS. FIELDS: Mr. Mason?
 15 MR. MASON: Yes.
 16 MS. FIELDS: Mr. Munson?
 17 MR. MUNSON: Yes.
 18 MS. FIELDS: Mr. Schultze?
 19 MR. SCHULTZE: Yes.
 20 MS. FIELDS: Mr. Tatum?
 21 MR. TATUM: Yes.
 22 MS. FIELDS: Mr. Paque?
 23 MR. PAQUE: Yes.
 24 MS. FIELDS: Motion passed.
 25 MR. PAQUE: Motion has passed.

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1 Next item on the agenda is Item
 2 Number 6: Chapter 100, Air Pollution Control
 3 Issues.
 4 MR. MACCALL: The next item we have is
 5 Chapter 100, Air Pollution Control, Subchapter A,
 6 PERMITS FOR PM10. It shall be and Major New Source
 7 Review Issuance.
 8 The Department is proposing to amend
 9 existing rule language in OAC 152.100 to re-
 10 LATEST, as proposed to EPA's existing interpretation
 11 changes to prohibit requirements pursuant to the
 12 July 24, 2024 Federal Register notice entitled
 13 "Removal of Title V Emergency Allowances Excess
 14 Provisions from State Operating Permit Programs and
 15 Federal Operating Permit Programs".
 16 The goal of this rule proposal and
 17 the underlying reason for the redrafting is to
 18 comply with federal requirements by removing
 19 alternative default provisions in Subchapter Part
 20 of air quality permit program.
 21 Notice of proposed rule changes was
 22 published in the Oklahoma Register on September 3,
 23 2024. A written comment was received prior to
 24 October 12, 2024 Air Quality Advisory Council
 25 meeting and verbal comments were made during the

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1 meeting. A summary of the comments and staff
 2 response document is included in your EPA packet.
 3 No revisions were made in response to the rules
 4 based on the comments received, and the Council
 5 unanimously approved the proposal at its October
 6 meeting.
 7 As Chair of the Air Quality Advisory
 8 Council, I recommend the board approve the proposed
 9 changes to Chapter 100, Subchapter A as permanent
 10 rules.
 11 MR. PAQUE: Thank you, Council.
 12 Any questions from a third person?
 13 comments? No questions, comments?
 14 Is there any comment of the public or
 15 any other interested party who wishes to comment,
 16 ask a question?
 17 Nothing more, the Chair would
 18 maintain a motion.
 19 MR. FERRICK: Mr. Chair, I'd like to
 20 approve the rule as proposed.
 21 MR. HIRSHEY: Second.
 22 MR. PAQUE: Motion and a second. Call the
 23 roll, please.
 24 MR. FIELDS: Mr. Austin?
 25 MR. AUSTIN: Yes.

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1 MS. FIELDS: Mr. Barton?
 2 MR. BARTON: Yes.
 3 MS. FIELDS: Mr. Easton?
 4 MR. EASTON: Yes.
 5 MS. FIELDS: Dr. Ferrell?
 6 DR. FERRELL: Yes.
 7 MS. FIELDS: Mr. Hirshey?
 8 MR. HIRSEY: Yes.
 9 MS. FIELDS: Mr. Kinder?
 10 MR. KINDER: Yes.
 11 MS. FIELDS: Ms. Kindrick?
 12 MS. KINDRICK: Yes.
 13 MS. FIELDS: Ms. Lowry?
 14 MS. LOWRY: Yes.
 15 MS. FIELDS: Mr. Mason?
 16 MR. MASON: Yes.
 17 MS. FIELDS: Mr. Munson?
 18 MR. MUNSON: Yes.
 19 MS. FIELDS: Mr. Schultze?
 20 MR. SCHULTZE: Yes.
 21 MS. FIELDS: Mr. Tatum?
 22 MR. TATUM: Yes.
 23 MS. FIELDS: Mr. Paquet?
 24 MR. PAQUET: Yes.
 25 MS. FIELDS: Motion passed.

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1 MR. PAQUET: Thank you.
 2 Hans Nordman: 2. Chapter 100 means, Air
 3 Pollution Control
 4 CHAPTER
 5 MS. FIELDS: Local Ordinance, Chapter 100,
 6 Air Pollution Control, Rule Chapter 5, Legislation,
 7 Emergency Inventory and Asset Operating Plans;
 8 Subchapter 7, Response for major facilities;
 9 Subchapter 8, Response for major facilities;
 10 New Rules and Rules Changes
 11 The Department is proposing to amend
 12 the form by rule (P&H) to OAC 242-100-01.5, to
 13 and natural gas system, in response to EPA's
 14 recently promulgated requirements in 40 CFR Part 63,
 15 Equipment (Emissions), Standards of Performance for Large
 16 Oil and Natural Gas Facilities for which
 17 Construction, Modifications or Replacement
 18 Commenced after December 8, 2022, MS/MS Subpart
 19 00000
 20 Additionally, the proposed amendment
 21 would allow the use of legally and practically
 22 enforceable laws when determining a facility's
 23 eligibility for the P&H. The list of the proposed
 24 text is to clarify source eligibility criteria for
 25 the P&H and ensure that the current P&H allows

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1 facilities potentially subject to P&H, including facilities
 2 to P&H (EPA's and OSHA's) and other facilities
 3 to avoid applicability of the federal requirements
 4 for certain equipment.
 5 On June 11, 2024, the Environmental
 6 Justice Impact Analysis (EJIA) report is due.
 7 The 100-7-100-2 which were measured by the Governor
 8 on July 29th. This emergency rule allows the use of
 9 the above mentioned legally and practically
 10 enforceable laws.
 11 The proposed permanent rule
 12 amendments would explain the emergency rule which is
 13 currently in effect, as well as changes to other
 14 sections of the P&H, 100-7-100-2, which
 15 permanent rule language in 100-7-100-2, which
 16 trigger additional requirements regarding the
 17 reporting of emissions of greenhouse gases,
 18 subsection (f) of the P&H, which states that other
 19 state permitting requirements for which greenhouse
 20 gases have historically been exempt.
 21 To ensure that the proposed permanent
 22 amendments to the P&H for the oil and natural gas
 23 sector do not create additional uncertainty
 24 requirements for owners and operators of various
 25 facilities, the DEQ is proposing amendments to other

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1 sections of Chapter 100-7-100-2, which states that
 2 These amendments would ensure that
 3 greenhouse gas emissions cannot exempt from annual
 4 emissions inventory reporting and from E-permit,
 5 greenhouse gas emissions would be P&H facilities
 6 certain permitting determinations such as
 7 eligibility for a de minimis facility, a
 8 permit exempt facility, or a high or general permit
 9 or used as the basis for a P&H source P&H
 10 determination and for the federal requirement for
 11 a P&H analysis under the major source P&H program
 12 where other language, not greenhouse gas, exempt
 13 the determination for a P&H de minimis facility
 14 emissions will be increased by 25,000 tons of CO₂
 15 equivalent
 16 Further, greenhouse gas permit will
 17 be de minimis in which P&H is exempt if a
 18 facility is subject to a greenhouse gas limit under
 19 a federal NSPS, or a national emissions standard for
 20 hazardous air pollutants, or a national emissions standard for
 21 regulated by a federal emissions guideline in
 22 accordance with 40 CFR part 63, or where the facility
 23 owner or operator requires a permit
 24 Additional amendments to P&H,
 25 100-7-100-4 will incorporate changes to maintain

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1. alternative requirements of an application for major
2. issues or considerations or differently provided and clarify
3. that a facility that is required by federal rules to
4. operate in Title 4 operating permit, operate a change
5. to facility substantially or substantially in nature, will
6. continue to be subject to any emissions limits
7. established as a previously obtained major permit
8. permit unless the facility obtains a title permit
9. continuation permit.
10. I mean, language relating "major
11. substantially issues" in Title 4, 202-100-21 Title 4
12. changed to continue with a change in the EPA rules in
13. the Title 4, 202-100-21(1)(A).
14. Part of the proposed rule change
15. was published in the Minnesota Register on
16. September 1st of 2024. Various comments were
17. received after the October 17, 2024 Air Quality
18. Advisory Panel meeting, and verbal comments were
19. made during the meeting. A summary of the comments
20. and staff responses is included in the Title 4
21. revisions were made to the proposed rules based on
22. comments received and the Council unanimously
23. approved the proposal at its October meeting.
24. As Chair of the Air Quality Advisory
25. Council, I encourage the board approve the proposal

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1. changes to Chapter 100, Subchapter 5, 2, and 3 as
2. permanent rules.
3. MR. LUDWIG: Thank you, Linda.
4. Are there any questions from any
5. board members for Laura's Questions?
6. MR. LUDWIG: This was the final question
7. plan, I think, of the proposed Amendments.
8. MR. LUDWIG: I was going to ask you to
9. repeat the second half of that.
10. MR. LUDWIG: I could, I could. I can
11. inform the Council a couple times, so
12. MR. LUDWIG: Any questions or comments?
13. MR. LUDWIG: I do, I have a question. The
14. the section about "Minor permits for greenhouse gas
15. emitting facilities", the last requirement says,
16. "Any of these exceptions or qualifications may be set
17. aside at the discretion of the Director".
18. It seems novel that the Director can
19. just strike any exception that's established by
20. rulemaking. Can you question the striking or removal
21. beyond that?
22. MR. LUDWIG: I'm trying to understand where
23. that is in there.
24. MR. MILLER: Do you have a staff to
25. that?

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1. MR. LUDWIG: It's the last one, so it would
2. be 202-100-21(1)(A).
3. MR. MILLER: 2, 1, 2?
4. MR. LUDWIG: Oh, is that what we were
5. trying to get rid of? If it only removed by the
6. EPA? So we put language in there, it was one of the
7. minor comments was regarding the not finding value
8. testing. So that's under the permit for
9. recommendations, so you're in the Title 4, which
10. you?
11. MR. LUDWIG: No, this is in the
12. MR. LUDWIG: The second part of Subchapter 2
13. MR. LUDWIG: Yeah, it's the "Minor permits
14. for greenhouse gas emitting facilities".
15. MR. LUDWIG: So we struck the "Minor
16. permits for greenhouse gas gases".
17. MR. LUDWIG: This part
18. Okay, any of these exceptions or
19. qualifications may be set aside at the discretion of
20. the Director. I know the intent of most of the
21. MR. LUDWIG: I sure, can you speak into the
22. microphone?
23. MR. LUDWIG: Yes, I will come back
24. Sorry, I'm going to stop your eye, thank, because
25. I didn't bring this part of the proposal with me.

Page 20

1. So I know - and Kendal, do you see
2. where it is?
3. MR. LUDWIG: Yes.
4. MR. LUDWIG: Okay, I'll let you speak on
5. this part.
6. MR. LUDWIG: Kendal, Margaret, Director
7. of Air Quality, I think this was going to give us
8. some flexibility in case we did have changes in the
9. rule, that we could quickly address any changes in
10. emissions, permits or anything like that.
11. It wasn't made to - for myself or
12. for Kendal to unilaterally just take things off, so at
13. least that's not - we were just following whatever
14. EPA was going to bring down or decide what would
15. give us the flexibility to pivot as necessary.
16. MR. SINGLETARY: Kendal, this is just a
17. formalization of that discretionarily -
18. MR. LUDWIG: Correct.
19. MR. SINGLETARY: Authority that we
20. already have.
21. MR. LUDWIG: Yes, correct.
22. MR. LUDWIG: I was going to say, there are
23. several places you probably saw where we tried to
24. put it in removed on the federal level, we put get
25. it out of our rules really.

	Page 21
1	Chairman?
2	MR. PAGE: Any other statements from the
3	board members?
4	Is there any member of the public or
5	a group who wants to make a statement or ask a
6	question? There's comments were close to everybody?
7	Okay. Hearing room and hearing room,
8	the Chair would entertain a motion.
9	MR. SCHULTZ: I'd motion to pass the
10	rule.
11	MR. AUCH: Ayes, second.
12	MR. PAGE: There's a motion and a second.
13	Call the roll, please.
14	MR. FIELD: Mr. Auer?
15	MR. AUCH: Yes.
16	MR. FIELD: Mr. Barton?
17	MR. BARTON: Yes.
18	MR. FIELD: Mr. Page?
19	MR. PAGE: Yes.
20	MR. FIELD: Mr. Farrell?
21	MR. FARRELL: Yes.
22	MR. FIELD: Mr. Higgins?
23	MR. HIGGINS: Yes.
24	MR. FIELD: Mr. Kinney?
25	MR. KINNEY: Yes.

	Page 22
1	MR. FIELD: Mr. Kinney?
2	MR. KINNEY: Yes.
3	MR. FIELD: Mr. Loney?
4	MR. LONEY: Yes.
5	MR. FIELD: Mr. Mason?
6	MR. MASON: Yes.
7	MR. FIELD: Mr. McHugh?
8	MR. MCHUGH: Yes.
9	MR. FIELD: Mr. Schickel?
10	MR. SCHICKEL: Yes.
11	MR. FIELD: Mr. Schmitt?
12	MR. SCHMITT: Yes.
13	MR. FIELD: Mr. Wagner?
14	MR. WAGNER: Yes.
15	MR. FIELD: Motion passed.
16	MR. PAGE: Thank you.
17	Next item on the agenda is Item
18	Number 8, Rulemaking: Chapter 100, Air Pollution
19	Control.
20	Chair?
21	MR. FIELD: This is my last time. Chapter
22	100, Air Pollution Control, Chapter 100, Air Pollution
23	Control, Chapter 100, Air Pollution Control, Chapter 100,
24	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution
25	Control, Chapter 100, Air Pollution Control, Chapter 100,

	Page 23
1	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution
2	Control, Chapter 100, Air Pollution Control, Chapter 100,
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22	Control, Chapter 100, Air Pollution Control, Chapter 100,
23	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution
24	Control, Chapter 100, Air Pollution Control, Chapter 100,
25	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution

	Page 24
1	Chairman, I am moving the board approve the proposed
2	amendment to Chapter 100, Air Pollution Control, Chapter 100,
3	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution
4	Control, Chapter 100, Air Pollution Control, Chapter 100,
5	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution
6	Control, Chapter 100, Air Pollution Control, Chapter 100,
7	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution
8	Control, Chapter 100, Air Pollution Control, Chapter 100,
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21	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution
22	Control, Chapter 100, Air Pollution Control, Chapter 100,
23	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution
24	Control, Chapter 100, Air Pollution Control, Chapter 100,
25	Chapter 100, Air Pollution Control, Chapter 100, Air Pollution

1 Mr. FIELDS: Mr. Kinkadee?
2 MR. KINKADEE: Yes.
3 MS. FIELDS: Ms. Kinkadee?
4 MS. KINKADEE: Yes.
5 MS. FIELDS: Ms. Lowry?
6 MR. LOWRY: Yes.
7 MS. FIELDS: Mr. Marquis?
8 MR. MARQUIS: Yes.
9 MS. FIELDS: Mr. Munson?
10 MR. MUNSON: Yes.
11 MS. FIELDS: Mr. Schallenger?
12 MR. SCHALLENGER: Yes.
13 MS. FIELDS: Mr. Tatum?
14 MR. TATUM: Yes.
15 MS. FIELDS: Mr. Paquet?
16 MR. PAQUET: Yes.
17 MS. FIELDS: Motion passed.
18 MR. PAQUET: Thank you.
19 Thank you, thank
20 Mr. Paquet. Thank you.
21 MR. PAQUET: Come back again sometime.
22 MS. FIELDS: I'm quite certain I will be
23 back with the rest of those changes.
24 MR. PAQUET: We'll look forward to it.
25 Thank you.

1 Next item on the agenda is Item
2 Number 9, *Consolidation of air quality in the Annual*
3 *Environmental Quality Report*. We have a
4 presentation by Madison Miller, the Deputy Executive
5 Director.
6 Whose's Motion? Thank you.
7 MR. MILLER: I'm up here and ready to go.
8 Thank you, Mr. Chairman. Good morning, Members of
9 the Board. I am Madison Miller, Deputy Executive
10 Director of EIQ. It's great to be in front of you
11 today, this is my first time to present this to you
12 as the Deputy Executive Director. It's a little
13 unusual I'm going to put you to sleep today,
14 reminding us about federal rules, we're going to try
15 to be brief.
16 So you have a copy of the
17 Environmental Quality Report in your packet, and
18 this report gets approved by the board and sent to
19 the legislature every year. It consists of EIQ's
20 Annual Board Report, it consists of a description
21 of all the Federal Mandates that have come down in
22 the last year in that we are tracking, and it also
23 consists of EIQ's legislative recommendations for
24 the coming legislative session.
25 And so I will just hand it over to

1 through. And we have reports in the room, if there
2 are any questions please don't hesitate to ask.
3 I'll be to answer them. But if I can't, we have
4 everybody in the room who possibly could.
5 So first item is. Madeline, can you
6 progress the agenda? And I have agenda up here.
7 So the first item is the Annual
8 Budget Request for Fiscal Year 25, which is the year
9 that we are currently in. It is was appropriated
10 \$30,200,714, and this morning you will see the
11 Working Budget.
12 So for Fiscal Year 25, the board
13 approved, at our last board meeting in September,
14 this Fiscal Year 25 budget request, which totals
15 \$21,800,100. And this includes \$400,000 which would
16 establish a Lead and Support Section within the Water
17 Quality Division.
18 Next slide, Madeline, please.
19 We're getting straight into the budget.
20 MADRIEN: Yeah, all right. I've taken out this slide all
21 of the air federal mandates that are included in our
22 Environmental Quality Report, and I'm just going to
23 go over these, all the high points.
24 For the people people, if you recall,
25 in 2020 EPA made the decision to reduce the

1 standard, but in 2023, EPA began a new review of the
2 200 parts per billion standard, but it may not have
3 completed. In understanding that and the standard city
4 emissions are above the current standard of 20 parts
5 per billion. So as far as whether or not EPA
6 decided to update the standard or change the
7 standard -- if EPA lowers the standard, which is
8 the goal is definitely healthy, there will be
9 the standard was lowered, we would have to
10 redesignate our area, but if the standard is
11 increased, it's unclear whether or not we would
12 have to be redesignated. EPA has stated in Federal
13 Registers that even though there is no redesignated
14 if the standard is increased -- that's with a
15 need to be in the air. We don't have anything
16 definitive on that, but we do have the intention to
17 determine that would be above the standard.
18 For EPA's staff, some things -- in
19 2020, EPA made the decision to retain the standard,
20 but in January 2, 2024, EPA decided to reconsider
21 that and lower the standard to 10 parts per
22 billion. Madeline, they are currently in
23 Oklahoma City is currently reviewing the standard,
24 they've decided that -- it's called the Federal
25 equivalent standard. Our numbers are based on

and we've believed that we have good air in the state
 the way that we've been, especially, for the
 initially, in 2020, California has to think differently
 the implementation for EPA, we have to understand
 the challenges. For this in just around the corner,
 the way in that we have to do it, we have
 to make sure we're not making a mistake. The EPA has to
 the challenges by January 2, 2025, and that
 the implementation there are due by January 25th of
 2025. California is part of the region for this rule
 the EPA has to make sure that the implementation
 the EPA for the Regional Water Quality Planning Board
 the August 9, 2024, and that the rule is not
 the EPA. EPA is required under a number of laws to
 the purpose of the rule is to protect the public health
 the California. The way we've been doing it is
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2 NEW YORK, NEW YORK, TELETYPE
3 THE STATE IS JUST FOR INFORMATION.
4 AMERICAN WOMEN FIGHTING AGAINST THE LATEST FORMS
5 OF FASCISM BY THE NEW CONGRESSIONAL WOMEN'S ACT (1945)
6 CANNOT BE IGNORED. IT IS ESSENTIALLY AN AMERICAN ISSUE
7 OF THE STATE OF THE STATE OF THE CONSTITUTION (1945)
8 FOR THE CONGRESSIONAL WOMEN'S ACT, WHICH IS CURRENTLY
9 AN AMERICAN ISSUE OF THE CONSTITUTION (1945), WHICH IS
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Page 43

1 First we get that bill last year, and we have plan
2 to take the total volume of that bill into account
3 it applies this year.
4 For the second place, the Water
5 Quality Monitoring, now we recommend that this
6 new money go water quality monitoring money to first
7 associated with water quality standards and
8 monitoring at those standards. If, as you know,
9 was designed the state's Water Quality Standards
10 program, which was often an hypothesis for
11 such, the monitoring of water quality is closely
12 associated with setting the standards for water
13 quality, so it would be appropriate to integrate
14 those funds in a single agency. Currently,
15 monitoring is within the jurisdiction of the
16 California Water Resources Board.
17 And then the third recommendation
18 legislation and would be Amending All Farm Costs
19 the Agriculture Department, and this would put all the
20 food in the state under agriculture that would be
21 potentially increase both through subsidizing the
22 program and the amount we've done a little
23 research in to which farm are not hard to do the
24 category, and I have a few recommendations general
25 before modification, that's been made from, well

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1 water from, the fact, notwithstanding the fact that
2 they, and regulations and arrangements, and water supply
3 water, in which water, notwithstanding the fact that
4 the fact is that
5 And that, notwithstanding the fact that
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1 water systems that were part of EPA's monitoring
2 group are doing something right now for the PFA's
3 components that are listed in the MCL plus an
4 additional group of PFA's components, so it's only
5 those drinking water systems that EPA identified
6 through this process. The UCMR rule is EPA
7 doing implementation, so they will set a size limit
8 and have a subset of smaller systems that are included
9 in that. So we have had quite few systems
10 monitoring.

11 MR. HENLEY: Okay, so this is -- just
12 adds smaller systems to require reporting by a state?
13 MR. HALL: Well, so the rule that has
14 just become published, in effect, that will apply to
15 all community water systems and it will be monthly
16 sampling as opposed to once time in month or
17 three year period, so it's significantly more
18 monitoring.

19 MR. HENLEY: And there was a certain
20 date, I didn't get it down, that that --

21 MR. CHAMBERLAIN: On 2022 is when we have to
22 have that initial first round of monitoring and the
23 monthly and quarterly, and then in '24 everybody is
24 going to have to be in compliance, have done
25 a monitoring, treatment if they need it. Was that --

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1 MR. HENLEY: So right now, under this,
2 it's just basically -- EPA's doing and implementing,
3 but not action on how to get in compliance?
4 MR. CHAMBERLAIN: Right. Right, now is the
5 phase PFA
6 MR. HENLEY: The implementation --
7 MR. CHAMBERLAIN: -- monitoring. It's not when
8 put into the drinking water state system, it gives
9 us a different sampling mechanism that EPA has and
10 then they report to us about -- every six months,
11 but at least once a year.

12 MR. HENLEY: Similar, when are --
13 when's the MCL compliance date, when is that?

14 MR. CHAMBERLAIN: The full compliance is not
15 until '24.

16 MR. HENLEY: Okay.

17 MR. CHAMBERLAIN: Yes.

18 MR. HENLEY: That's what you were talking
19 about?

20 MR. CHAMBERLAIN: Sure, thank you. I'm glad
21 that you asked me the question I have questions,
22 too.

23 So in that same vein, I know that
24 some in the public of testing. And as what percent
25 of those cases have been already gone in and then

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1 have you seen some of reports with the EPA, the
2 that did happen of course, but I guess I'm
3 asking you to keep a little bit outside in just your
4 forecasting (as far as the water system problems)
5 MR. CHAMBERLAIN: All right, so for the UCMR
6 PFA's which we're getting the PFA's sampling now, we
7 have some more up in Northwest Oklahoma, we have
8 those drinking water systems that are not voluntarily
9 confident that if the rule were to be in effect
10 definitely, they would be out of compliance. We have
11 a pretty high degree of confidence in those results
12 they use the same water system, they have similar
13 volume, so it's certainly making sense.

14 WE have with systems in the state
15 Oklahoma that is a small system that uses
16 groundwater. It has shown several issues of a
17 couple of the components. We question those results
18 because they use the data source as a couple of
19 other systems that were very low in our dataset. So
20 we wonder if there is some kind of
21 some contamination that occurred because the
22 sampling protocols are very strict because there is
23 the ability of those components and if your vehicle has
24 a accident with you just the samples in the back
25 seat, you could violate that from -- for water you

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1 own system that we're not totally convinced it is
2 problem, but that's now we're going to have to
3 figure out.

4 And then we have a system in
5 Southwest Oklahoma that is very close to the border
6 Mexico. It is a site that's associated with World
7 War II military facilities. We think the sampling
8 is probably appropriate in implementation results there,
9 but it is the risk of the hazardous index as

10 applicable to water in the vicinity. So when that comes
11 they would violate or not, we'll know in some time
12 later, but we're working with all of those systems so
13 that they can get planning if they need to.

14 MR. HENLEY: Yeah, so Henry was talking
15 also kind of jumped into the lead and copper rules
16 and I had some questions about lead and copper
17 So all the reporting was required to

18 be submitted by the 10th, but then on the 10th
19 there is the final when we talked about lead and
20 copper, federal -- but has -- and yet in Oklahoma
21 what they were going to submit as their
22 requirements at all, they just basically kind of
23 collect data, you give us your report, right? And as
24 with those reports coming in, have we seen any kind
25 of reports -- I know all of them aren't by yet, but

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1 have we seen results on what
2 Mr. CHAMBERLAIN: Okay. So we have the lead and
3 League Rules as they right now that are now
4 implemented in addition to the old ones
5 for the first time, the first League
6 time inventory, that is the one that had the customer
7 data. So the data that all of them were due, we had
8 received about a third of the inventories. We had
9 already contacted with several different systems,
10 City of Atlanta, Oklahoma City Water, trying to get
11 systems that have inventories done. We completed a
12 team of the larger systems because they have
13 different issues, but we we had Oklahoma City and
14 Tulsa all the way down to Arizona, Chicago.
15 We've also been working together to make sure that
16 we were able to get them completed and they could
17 assist each other. There's a requirement that
18 within 30 days of that October date that they would
19 have to send out letters to all of their customers
20 if they did not complete the inventory on time and
21 to report if they did have any lead lines,
22 unassigned lines, or unknown potential lines. So
23 we've been working with systems to make that EPA
24 requirement for the first public utility, but we also
25 have been providing, through our website and with

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1 our staff, to help get the inventory done. We
2 have about 1 I think it was 30 percent, 30 percent
3 things are now completed and it hasn't -- oh, it's
4 right at a month late, but we think we're going to
5 get them. When you think, what are we seeing, well,
6 unfortunately when seeing some bad information when
7 everything unknown. And it's like oh, oh, oh,
8 really you want to get figure it out but some if you
9 say unknown, we have to treat it as lead. For City
10 of Oklahoma City, I think they had 1 or 2 percent of
11 their water systems able to be identified as
12 unassigned. So the bigger cities we're seeing some
13 pretty good results; the smaller systems, we're
14 seeing not a lot of lead, but a lot of unknown. So
15 we will be focusing there, trying to find inventory
16 I know some of the cities send out letters saying
17 if you've replaced your line, if you have an access
18 point that we don't have to dig up the system, you
19 know, obviously to your credit yield, you know, we
20 need to know and check to try to make those
21 identification. So what that is happening
22 The new lead line will be in the
23 of it, the old database being a lot more
24 consistent while we go through this, what EPA has
25 learned from 10 years that and capital program, which

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1 actually is about 12 years when you factor in the
2 ability to the start before that that's
3 Mr. CHAMBERLAIN: For just to add, we EPA
4 finished them in the future. And, what did they
5 what was new from before, what did they -- is there
6 any required action that they've given back of
7 Mr. CHAMBERLAIN: So that's -- yeah, the first
8 and replace of the lead lines within about the next
9 12 years, and that will also drop, in another two
10 years, we will see the lead action level drop to the
11 old trigger level and we will no longer have a
12 trigger level, so that -- we're going down to 10
13 from 15
14 Mr. CHAMBERLAIN: Okay. So it's city also,
15 they're actually going to have to -- you're going
16 to have to replace those that were identified as
17 containing lead and replace?
18 Mr. CHAMBERLAIN: Lead, unassigned, or unknown.
19 If they can find the unknown and determine what it
20 is, it's a case off that list, but if they can't
21 determine, it's in that replacement requirement
22 Mr. CHAMBERLAIN: One more question. I also
23 stated a lot of the work is going to have to be done
24 in the future, sounds like.
25 Mr. CHAMBERLAIN: Yes.

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1 Mr. CHAMBERLAIN: Are we coming up to the able
2 to take that situation?
3 Mr. CHAMBERLAIN: So we know them's going to
4 have to be -- I'm going to have it over to Boston
5 just a second, just to say one thing about the
6 volume, previously it was the first list of water
7 out of a faucet, now it is the first list and the
8 first list -- so it's double samples for every site
9 and those that have any -- if they approach a
10 violation, they have an -- because, they will be on
11 actively monitoring as opposed to quarterly
12 monitoring, so that's going to make a big
13 difference
14 Now, what are we doing, right?
15 Mr. CHAMBERLAIN: Yeah, I was going to say,
16 Mr. Chamber, probably would be a good time to let
17 George Russell -- I know we've mentioned him for you
18 guys in the past, he's the new director of the
19 State Environmental Data Inventory, he was given us an
20 update on kind of where we stand right now
21 Mr. CHAMBERLAIN: Yeah, thank you, everybody
22 George Russell, acting director of the ID,
23 for to answer your question, yeah, there's -- I mean,
24 I think we've indicated, then, a few hundred
25 or more on the number of sample results for lead

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1 and I think that will have to come in the highest in the
2 state, which is a lot of work.
3 As far as the what you talk is doing,
4 we're just having a new mobile manager. This week, we
5 finished all our jobs yesterday; so hopefully, we'll
6 have this mobile before the end of the week and have
7 forward in hand. The that will help maintain some
8 of the. It's been an issue a little bit in that
9 keep the emergency response.
10 So we have these new equipment up
11 there that we've gotten through some of the (SWH)
12 grand funding, so we have new equipment that will be
13 able for us to go out there and operate.
14 And then, also, we have new available
15 that are coming online. And so we distributed our
16 radiation monitoring sampling or testing, and we're going
17 to take those analysis and make them over to some of
18 the other sites.
19 So we have some outside there and
20 we're planning for the future, for more, and we have
21 a little bit of time in the early for that. But
22 also, the last emergency in (SWH) (SWH) we
23 were a lot of what and (SWH) (SWH) going to
24 and will continue.
25 So, and I think, I don't know if

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1 that's going to happen if later, but we'll have to
2 make a lot more equipment to go to the site
3 that's been identified, which is to take a look at some
4 and to look at some of our new equipment and have that
5 take in doing up.
6 Mr. TAYLOR: Okay, thank you.
7 Mr. MILLER: Thank you.
8 Mr. TAYLOR: We've talked just briefly on
9 what and (SWH), and I want to congratulate you
10 people on survival. That was not easy that night.
11 Out of 125 (SWH) (SWH) and (SWH), it's
12 interesting. Part of the point you gave me talking
13 about, who it is and who's going to be involved,
14 there's not a water system out there that is not
15 going to be faced with some emergency in some fashion.
16 And the (SWH) (SWH) of we don't have a
17 problem in through (SWH) of we've done our
18 due diligence, and at that time of need.
19 So it's not that the (SWH) (SWH) of
20 that equipment, it's an (SWH) (SWH) system, is
21 And with that being said, just (SWH) (SWH) and
22 equipment, especially in some smaller systems, is
23 (SWH) (SWH), (SWH) (SWH) and (SWH) (SWH)
24 (SWH) (SWH) (SWH), so it's interesting for small
25 systems. It's (SWH) (SWH) and that kind of

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1 stuff, and it's so very much appreciated for what
2 (SWH) (SWH) work you guys are doing, and I want to
3 give you a congratulatory, you know, thank you as
4 just (SWH) (SWH).
5 Mr. MILLER: Thank you, Mr. TAYLOR, that's
6 (SWH) (SWH). The staff works very hard.
7 Mr. TAYLOR: Any other comments by the
8 board members or questions?
9 Mr. TAYLOR: I have two comments. Having
10 heard this (SWH) and (SWH) (SWH) going back to
11 my earlier question, should we bill (SWH) (SWH)
12 (SWH) (SWH)? This (SWH) and (SWH) is a very (SWH)
13 impact to (SWH) water and (SWH) water. If you guys
14 are looking at the (SWH) (SWH) (SWH) and (SWH)
15 that we're going to see in January and the rest of
16 months, would it be worth just pausing while we see
17 what works out? Because we've heard from three of
18 our board members, this is (SWH).
19 Mr. TAYLOR: I think we kind of got
20 back to the same question as much as we (SWH) (SWH)
21 (SWH) (SWH) (SWH) (SWH) (SWH) (SWH) (SWH)
22 (SWH) (SWH), it just (SWH) (SWH) (SWH) and
23 (SWH) (SWH) to help (SWH) (SWH) in a (SWH) (SWH)
24 way as we (SWH) of the (SWH) and it's just (SWH),
25 the systems we'd have to deal with them. So

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1 it's a different question.
2 Mr. TAYLOR: We've been told that for
3 the (SWH), but if we were to bill (SWH) for the (SWH),
4 the chance of that happening is pretty small, and I
5 would suggest we give some thought within your
6 (SWH) (SWH) to the (SWH) (SWH) (SWH) (SWH)
7 in January, I might have a (SWH) (SWH) for (SWH) (SWH)
8 on. And I hear you, but if we look at our
9 experience, they (SWH) going to come (SWH) (SWH)
10 (SWH) (SWH) if we don't (SWH) (SWH). We (SWH)
11 that.
12 Mr. TAYLOR: So this is (SWH) (SWH),
13 Water Quality (SWH) (SWH), I understand we do
14 have one (SWH) of the (SWH) (SWH) (SWH) (SWH)
15 (SWH) (SWH) and it was kind of a (SWH), and
16 it was (SWH) only the small water systems that
17 were a (SWH) (SWH) (SWH), so (SWH) (SWH) (SWH) of
18 (SWH) the (SWH) (SWH). And I think we (SWH) (SWH)
19 years after we got (SWH) (SWH), and we are still --
20 But and I spent a day in (SWH) (SWH) (SWH) (SWH)
21 with some of the (SWH) (SWH) of that (SWH) (SWH)
22 (SWH), which (SWH) (SWH) that (SWH) (SWH) in (SWH)
23 (SWH) (SWH) (SWH), and we're still (SWH) (SWH)
24 So, definitely (SWH) (SWH) where
25 you're coming from, but have to (SWH) (SWH) (SWH)

1 in the air
2 MR. SINGLETARY And we, Mr. Martin,
3 definitely appreciate what you're talking about and
4 we share a lot of those frustrations, probably more
5 than a lot of folks here who've been directly
6 having to implement them. But with some of those
7 communication strategy, the way they will be quickly, the
8 systems are going to be -- if they don't have one at
9 hand and then trying to educate them and, you
10 know, be involved in it, it's not a difficult
11 situation.
12 We're focused in the new
13 administration, you know, some of the more common
14 regulatory programs are going to be in place by
15 the time we're off.
16 MR. MARTIN Thank. And I know your guys
17 are thoughtful.
18 I have a second question. Maybe,
19 can we go to the yellow air quality index at the
20 early deployment? Yellow is critical. I know a
21 question that maybe Ronald, Laura, or David would
22 want to discuss.
23 As they -- you know, it's about that
24 yellow phase. If it is critical that the relationship of
25 the regulatory community, we are a community, I get to

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1 pay really bills. All that we heard about in that
2 stage, in the past week or so, and it's not,
3 what are we doing to try to minimize that? And
4 that's maybe a question for Ronald or Laura or
5 David, who are more in that area, I don't know.
6 MR. LEE HANCOCK Ronald, Laura, or
7 David Director. Are you talking about cost of
8 compliance, getting into compliance, is that what
9 you
10 MR. MARTIN I'm speaking of cost of
11 compliance for the regulatory community --
12 MR. LEE HANCOCK Right.
13 MR. MARTIN -- and then I'm speaking as a
14 rate payer, not really bills, for you and you guys
15 bills. I think it's twofold. One is the cost of the
16 regulatory community, and the other is the cost of the
17 regulatory, and I get it, it's not
18 MR. LEE HANCOCK Right. And this is a
19 difficult question as we are the regulator, so we --
20 it's difficult for us to take that cost burden which
21 it's not like that. However, especially with the costs
22 and costs, we're always and we're going to be in
23 the best place to be, we're in compliance
24 compliance. We're not going to be able to, but
25 helping regulatory to be in compliance. We do

1 understand that's not the burden for the regulatory,
2 but that's not something we can control.
3 MR. SINGLETARY You know, I think you
4 thing is good, but, but, in the top layer of things,
5 there don't seem to be a whole lot. Frank
6 me, I think, really clearly focused upon the state of
7 the nation -- for whatever we do or not, you know, the
8 National Archives Air Quality Regulatory and Quality
9 for me, but if we don't meet them, then we're
10 not-able to do that. And that's the whole
11 permitting system gets in and everything. Some
12 thing that's, some, regulatory, the "good
13 regulatory", the fact that the fact -- as if that was
14 that was really to be -- it's, trying to implement
15 that is the whole, there are things that, regulatory
16 of what we do, that's happening. So we're pushing
17 back to the extent we can
18 MR. SINGLETARY That's why we're
19 not able to implement in that of these issues
20 MR. MARTIN May I ask him question,
21 please, speaking as a rate payer and not as
22 regulatory community.
23 MR. SINGLETARY I understand.
24 MR. MARTIN Thank you
25 MR. SINGLETARY Anybody else?

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1 "any, anything else?
2 MR. MARTIN No, I'm done for the day
3 MR. SINGLETARY You're done?
4 MR. MARTIN I'm good, thank you
5 MR. SINGLETARY Okay, Anybody else, any board
6 members?
7 Well, thank you, again, Martin
8 MR. SINGLETARY Thank you all
9 MR. SINGLETARY Appreciate it
10 It's good to be involved in the world of
11 a great day that had a question about the
12 environmental impact on a community
13 Community issue, I think we'll move on
14 a question to get up and answer the report, and the
15 information of the regulatory community at
16 the end which were given to Martin will be part
17 of the results for approval. I think that's correct,
18 and I just wanted to get to the end of that.
19 All right. That would conclude a
20 meeting on that report
21 MR. SINGLETARY So thank you, again, that we
22 make a report that we approve the Oklahoma
23 Environmental Quality Report.
24 MR. SINGLETARY That's what I ask for a
25 meeting, I try not to any question in any way.

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1 that's a meeting. And in this case, I'm going to
2 agree on a meeting. Agree on approve, okay, my
3 understanding.
4 MR. HINDSBY: We need to, yeah, accept and
5 approve the Oklahoma Environmental Quality Report as
6 stated.
7 MR. PACQU: I agree, is that a problem?
8 MR. HINDSBY: It is.
9 MR. PACQU: It is. All right.
10 [to me have a second].
11 [to me have a second].
12 MR. PACQU: Motion and a second. I will be
13 only please.
14 MR. HILL: Mr. Board.
15 you agree, yes.
16 MR. HILL: Mr. Board.
17 MR. HARTON: Yes.
18 MR. HILL: Mr. Board.
19 MR. HARTON: Yes.
20 MR. HILL: Mr. Board.
21 MR. HILL: Yes.
22 MR. HILL: Mr. Board.
23 MR. HINDSBY: Yes.
24 MR. HILL: Mr. Board.
25 MR. HINDSBY: Yes.

1 MR. HILL: Mr. Board.
2 MR. HINDSBY: Yes.
3 MR. HILL: Mr. Board.
4 MR. HILL: Yes.
5 MR. HILL: Mr. Board.
6 MR. MASON: Yes.
7 MR. HILL: Mr. Board.
8 MR. HINDSBY: Yes.
9 MR. HILL: Mr. Board.
10 MR. SCHULTZ: Yes.
11 MR. HILL: Mr. Board.
12 MR. HILL: Yes.
13 MR. HILL: Mr. Board.
14 MR. PACQU: Yes.
15 MS. FIELDS: Motion passed.
16 MR. PACQU: Motion passed, thank you all.
17 Thank you again, staff.
18 Now, give us the summary of the
19 Number 10, Executive Director's Report.
20 [to me have a second].
21 MR. HINDSBY: So as you can see,
22 Madison got to carry out the report with the
23 environmental quality report with the things that
24 are going on, but I had a few things I wanted to
25 update you all on, just going to mention a few.

1 environmental issues we've had here at the agency
2 [to me have a second].
3 [to me have a second].
4 last board meeting. I mentioned that, you know, we
5 finally have a board meeting passed, and a lot of
6 things here that we finally have all the positions
7 filled. And that's not going to last very long.
8 [to me have a second].
9 [to me have a second].
10 [to me have a second].
11 [to me have a second].
12 MR. HARTON: Thank you, it's been a
13 privilege.
14 [to me have a second].
15 [to me have a second].
16 [to me have a second].
17 [to me have a second].
18 [to me have a second].
19 [to me have a second].
20 [to me have a second].
21 [to me have a second].
22 [to me have a second].
23 [to me have a second].
24 [to me have a second].
25 [to me have a second].

1 [to me have a second].
2 [to me have a second].
3 [to me have a second].
4 [to me have a second].
5 [to me have a second].
6 [to me have a second].
7 [to me have a second].
8 [to me have a second].
9 [to me have a second].
10 [to me have a second].
11 [to me have a second].
12 [to me have a second].
13 [to me have a second].
14 [to me have a second].
15 [to me have a second].
16 [to me have a second].
17 [to me have a second].
18 [to me have a second].
19 [to me have a second].
20 [to me have a second].
21 [to me have a second].
22 [to me have a second].
23 [to me have a second].
24 [to me have a second].
25 [to me have a second].

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1 they were not regulars, they were in the company
2 for me and very person of age and age, age,
3 with a little bit of that.
4 There's other events -- well, actually,
5 I might want to turn to some other responsibilities, as
6 well. So we have a look at the various here, we
7 have a look at the various here, we
8 have a look at the various here, we
9 have a look at the various here, we
10 have a look at the various here, we
11 have a look at the various here, we
12 have a look at the various here, we
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14 have a look at the various here, we
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21 have a look at the various here, we
22 have a look at the various here, we
23 have a look at the various here, we
24 have a look at the various here, we
25 have a look at the various here, we

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1 members who understand the [unclear] of the
2 National Weather Service's Weather Day, is that --
3 MR. LUTTMANN: Weather Festival.
4 MR. LUTTMANN: -- Weather Festival that they
5 have every year, and they're very involved in
6 the spring focus on weather and specifically how
7 weather impacts air quality, as well. So it's a
8 great -- I think it's a great opportunity to
9 that, so it was a nice outreach opportunity.
10 You know, we've had a lot of [unclear]
11 about the new administration coming in, I think it
12 the future is definitely plan to provide updates in
13 the report, kind of identifying some of the changes
14 as they go on as you guys have that information
15 readily available.
16 THE LAST THING I really wanted to
17 touch on, the parking garage, we've been talking
18 about it for some -- one stop that that is happens
19 before demolition could occur is what had to be
20 our plan. But that we have in that back alley.
21 They are very afraid of schedule and they're going to
22 come in and do that in the summer, so we expect to
23 be completely out of the garage by then. And we had
24 to kind of work with it. And we're still in touch
25 for a demolition that will begin the very beginning

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1 of January and then, it's months after that, and it's
2 in a way that
3 So that's the update on the garage,
4 I'll be happy to answer any questions if you have
5 any.
6 MR. LUTTMANN: [unclear] [unclear] [unclear] [unclear]
7 [unclear]. But I'll not be around here in a minute.
8 MR. LUTTMANN: There's no action required
9 MR. LUTTMANN: Yes, I mean, we're not sure,
10 we're not sure if it's a recommendation by the [unclear] [unclear]
11 [unclear] to the members that were responsible. That's
12 not an agenda item, I understand, but it's a concern
13 other than if we wanted to just pass a recommendation
14 on the staff. I mean, we don't have to,
15 MR. LUTTMANN: [unclear] who's available that's available
16 to [unclear] to the [unclear], but I don't think that it
17 would be an item for a meeting.
18 MR. LUTTMANN: Okay. All right, well, let
19 the [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]
20 and [unclear] to the [unclear] who got the [unclear]. And
21 let them know.
22 So at this time, I have got to
23 [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]
24 and I'll be to this [unclear] of the [unclear] [unclear]
25 from 11 -- from 11 on [unclear] [unclear] [unclear] [unclear]

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1 [unclear]
2 If you'll take over, please.
3 MR. PERRELL: Thank you, Mr. [unclear].
4 MR. PERRELL: In [unclear] [unclear] [unclear]
5 MR. PERRELL: Well, the [unclear] [unclear] [unclear]
6 [unclear] just a little bit, but that's okay.
7 The next item on the agenda is Item
8 Number 11, which is our Budget Status Report, and
9 for that, we're going to have the [unclear] [unclear] [unclear]
10 Mr. Kathy [unclear].
11 MR. KATHY [unclear] [unclear] [unclear]
12 Good morning. I'm Kathy [unclear] [unclear]
13 [unclear]'s Chief Financial Officer and the Director of
14 [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]
15 [unclear] of the status of our budget through
16 September 2024.
17 Going over the revenue, our revenue
18 looks really good at this point. The first quarter
19 has exceeded, and that's definitely a good start
20 for us at this point in the year compared to last
21 year in the year, and as that's great news. We
22 have [unclear] almost 50 percent of our revenue,
23 that's fantastic. A lot of our [unclear] [unclear] [unclear]
24 half of the year just due to when their billings
25 are, but we are ahead of where we were last year, so

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1 that's really good money. We have collected a total
2 of \$20,750,000.

3 And just to give you an idea of kind
4 of the volume, they does a lot of touring, that's a
5 good portion of our revenue for our history. So as
6 you could see from the collections, the summer is,
7 like, our busiest time of the year. In July, we had
8 some 15,000 transactions - that's programs, that's a
9 substantial amount to the agency, the mail, the
10 telephone calls - all the way to subscription is starts
11 starting down in 5,000, and we're down as you know,
12 10 percent of our revenue, and that's five accounts
13 million dollars that includes that unknown, as
14 they're very, very busy and then they kind of get to
15 the end of the year.

16 And just to kind of give you an idea
17 of the volume, but we are in the stages of planning
18 to expand our program substantially. It's
19 older and, you know, we have to do a lot more research
20 work that we should. In starting the first of the
21 year, we're going to really start focusing on that
22 project, it's going to be a big one. So we'll give you
23 updates on it, but that's going to really benefit
24 that city which will be the only thing that's
25 there, but our revenue for our work will

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1 up to that kind of expansion for the year and probably
2 into that amount.

3 MR. TINKLE: Okay. So your history
4 10 percent collected now, compared to last year we
5 were down in the 10's?

6 MR. TINKLE: It's a little bit, about 10 percent.

7 MR. TINKLE: Okay. So you have a reason for
8 that decrease in collection?

9 MR. TINKLE: We're aware of it. You
10 know, I just think - I think it's kind of a
11 revenue collection this year. We projected that to
12 be a couple million more. I think some of that, I
13 think a couple of the programs increased a little
14 bit more. And just the timing this year, I think
15 that, we really got ahead of it earlier and it
16 shows kind of in the collections. Any questions on
17 revenue from I mean in the expansion? Okay
18 So our budget is a little more
19 about million. And so we have spent, the first
20 quarter, about \$10 million, which is in fact
21 first of the year's kind of slow, you're getting
22 projects going, and then we just of spend up from
23 there, we have accumulated \$10 million, so that's
24 the history.

25 So we look at our funding history,

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1 you can see the 10's, General Appropriations, that's
2 the primary source, that \$10 million. And then the
3 F&A Appropriations was a small one, the \$1 million,
4 that's the H&A grants with rural water, and it's
5 already expended, that's -- there's a lot of it
6 really moving now. It took them a little bit to
7 establish the program, and that's been really
8 successful. And then in the year you got \$10 million,
9 there's the H&A program, which we're starting to
10 spend that. And there's the other history, we have
11 -- if you see, like, the H&A funds, that's the
12 \$20 million for Canyon, the Water Main Project, and
13 then the \$10 million for the Tyger River. So we
14 have already got the contract out there under signed
15 for delivery, they've got it, and I think they were
16 awarded about \$10 million from the funds, which
17 they're going to complete our funds and we should get
18 them spending probably the rest of next year, but
19 that's already. We're still in contract negotiations
20 with Tulsa for the water, but that should be
21 progressing. Other than that, everything is on
22 track, we don't see any issues.

23 So we have any questions?

24 MR. TINKLE: Are there any questions from
25 the board?

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1 Ah, Mr. Tinkle - I have a question. Okay, so
2 you know, as you're looking at the collection in the collection
3 and the state's really struggling financially, what's
4 for what's been allocated to our right guess this
5 parking garage right now, about that \$10 million, and
6 if so, will we start construction or is there a plan?
7 MR. TINKLE: The history is that. We
8 have a really good project and -- large
9 construction, and that's very involved and
10 complex to the agency, and we're very fortunate,
11 so that's already -- we don't know. I just think it's
12 meeting, and we're always looking at things. If
13 something comes up that it's going to really drive
14 up the budget, then we have to be a way to bring it
15 back down, but we have a great project.

16 MR. TINKLE: And we are, we do have
17 some funds in reserve to help for revenue, as well
18 MR. TINKLE: Anyway, thank you.

19 MR. TINKLE: Any other questions from the
20 board? Any questions from the public?

21 Well, seeing none, this is an
22 informational report, it doesn't require any action.
23 So we can move forward. But we do want to say,
24 Kelly, we do thank you for your awareness, you and your
25 staff are awesome, as we want that officially

1 I F F I C A T E
2 I, James Longley, Chairman, American
3 Federation of Labor and for the State of Connecticut, do
4 hereby certify that the above and foregoing document
5 was by me taken in shorthand and thereafter
6 transcribed, and that I am not an attorney for any
7 relation of any of said parties or organization
8 appearing in the record of said trial.

14 THE WHITE WHITE WHERE? (I know him myself)
15 and very honest and official seal this. And they of
16 Commissions, 1878

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14	Immy Immy, 1986
15	1986-1987



**OKLAHOMA
Environmental
Quality**

**ENVIRONMENTAL QUALITY
BOARD**

Attendance Record

November 21, 2024

Oklahoma City, Oklahoma

<u>NAME and/or AFFILIATION</u>	<u>Address and/or Phone and/or E-Mail</u>
Shelli-Chavez DEQ-WQD	Shelli.Chavez@deg.ok.gov
Stacey Tucker DEQ	Stacey.Tucker@deg.ok.gov
Quana Field DEQ	
Kathy Aebischer DEQ	kathy.aebischer@deg.ok.gov
Mike Pague DEQ BA	mpague@gwpc.org
Rachel Hildebrand DEQ	
James A. Kuli DEQ Board	
Kerolal Stegmann DEQ	
Mark Barton EQB	perry.mah.barton@yale.edu
Sheldon Tatum EQB	
Mark Hildebrand DEQ	mark.hildebrand@deg.ok.gov
George Russell DEQ	george.g.russell@deg.ok.gov
Patricia Schwartz EQB	
CRIN Hiltch DEQ	
Nichelle Wynn DEQ	
John Carter DEQ	
Karen Steck DEQ	
Beverly Botchelt-Smith DEQ	
Ken Hirsch DEQ	
Ken Hirsch DEQB	No change
Madison Miller DEQB	DEQ
Jennifer Boyle DEQ	jennifer.boyle@deg.ok.gov
Brandi Lowry EQB	
Jennifer Lowry OAG	
Lloyd Kirk DEQ	
Tina Hanson DEQ	



**OKLAHOMA
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Quality**

ENVIRONMENTAL QUALITY BOARD

Attendance Record

November 21, 2024

Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Nick Hazelrigg DEQ

Nick.Hazelrigg@deq-ok.gov

Travis Couch DEQ

Angela Hughes DEQ

Alexie Kindrick EQB

Alexie.Kindrick@tetratech.com

Shannon L. FERRELL EQB

Shannon.L.Ferrell@okstate.edu

Rhonda Larson DEQ ASD

Clifton Ivy DEQ

Richard R. Ivy DEQ

GARY HENRY DEQ

Jonathan Allen DEQ

Chris Robinson DEQ

MELANIE FOSTER DEQ

John Kelso DEQ

V. TRAN SOBE

Rich Ayers DEQ

Kelly DEQ

Susan Mensik DEQ