

**DRAFT MINUTES
ENVIRONMENTAL QUALITY BOARD
SEPTEMBER 10, 2024
CHOCTAW NATION OF OKLAHOMA HEADQUARTERS
DURANT, OKLAHOMA**

Official EQB Approved
On November 21, 2024

Notice of Public Meeting – The Environmental Quality Board (Board) convened for a Regular Meeting at 9:30 a.m., at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma. This meeting was held in accordance with 25 O.S. Section 311, with notice of the meeting given to the Secretary of State on October 31, 2023. The agenda was mailed to interested parties on August 30, 2024 and was posted at the DEQ and the facility on September 9, 2024. Mr. Mike Paque, Chair, called the meeting to order and Mr. Shannon Ferrell, Vice-Chair read the protocol statement. Mr. Paque called upon Tye Haker, Senior Director of Environmental Protection Service for the Choctaw Nation to give an introduction. Ms. Fields called roll and a quorum was confirmed.

MEMBERS PRESENT

Richard Auer
Mark Barton
Shannon Ferrell
Ken Hirshey
Jimmie Kinder
Branch Lowry
Steve Mason
Peter Schultze
Mike Paque

DEQ STAFF PRESENT

Rob Singleton, Executive Director
Madison Miller, Deputy Executive Director
Jennifer Hoyle, General Counsel
Michelle Wynn, Legislative Liaison
Jonathan Allen, Deputy General Counsel
Mark Hildebrand, Chief of Staff
Karen Steele, Water Quality Division
Erin Hatfield, Office of Communications
Kathy Aebischer, Administrative Services Division
Kelly Dixon, Land Protection Division
Travis Mensik, Environmental Complaints & Local Services
Vance Pennington, Environmental Complaints & Local Services
George Russell, State Environmental Laboratory Services
Travis Couch, Environmental Attorney
Malcolm Zachary, Air Quality Division
Jeff Hearn, Environmental Complaints & Local Services
Kevin Smith, Environmental Complaints & Local Services
Derek Knard, Environmental Complaints & Local Services
Sharon Smith, Office of the Executive Director
Quiana Fields, Board & Council Secretary

MEMBERS ABSENT

John Patton
Alexie Kinkick
Tim Munson
Sheldon Tatum

OTHERS PRESENT

Jennifer Lewis, Office of the Attorney General
Jenny Longley, Court Reporter
Laura Loxley, Air Quality Advisory Council
Bud Ground, EPC

Approval of Minutes – Mr. Paque called for a motion to approve the June 11, 2024 Regular Meeting minutes. Dr. Ferrell moved to approve and Mr. Hirshey made the second

transcript pages 11 – 12

Richard Auer	Yes	Branch Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Peter Schultze	Yes
Ken Hirshey	Yes	Mike Paque	Yes
Jimmie Kinder	Yes		

Rulemaking – OAC 252:100 Air Pollution Control

Appendix E, Primary Ambient Air Quality Standards (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 agency is proposing to amend Appendix E to maintain consistency with the National Ambient Air Quality Standards (NAAQS). Specifically, the PM_{2.5} Primary Standard is being amended to reflect recent changes made by EPA in lowering the annual standard from 12.0 µg/m³ to 9.0 µg/m³. The proposed rule is to ensure Appendix E is consistent with the federal NAAQS. Hearing no questions or comments by the Board or the public, Mr. Paque called for a motion. Mr. Kinder moved to approve and Mr. Auer made the second.

transcript pages 12 - 14

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Peter Schultze	Yes
Ken Hirshey	Yes	Mike Paque	Yes
Timmy Kinder	Yes		

Rulemaking – OAC 252:100 Air Pollution Control

Subchapter I, General Provisions

252:100-1-3, Definitions (AMENDED)

Subchapter 7, Permits for Minor Facilities

Part 9, PERMITS BY RULE

252:100-7-60, Permit by rule (AMENDED)

Ms. Lodes stated that the agency is proposing to amend section 252:100-1-3, to clarify construction and operating permit requirements associated with modification of an existing minor facility (i.e., subject to Subchapter 7) or Part 70 source (i.e., subject to Subchapter 8). The agency is also proposing to amend existing rule language in section 252:100-7-60, to clarify requirements for electronic submission of applications for air quality permits. The proposed rule will clarify air quality permit requirements related to modification of minor facilities and Part 70 sources, and to allow electronic submission of applications. Hearing no questions or comments by the Board or the public, Mr. Paque called for a motion. Mr. Hirshey moved to approve and Dr. Ferrell made the second.

transcript pages 14 - 17

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Peter Schultze	Yes
Ken Hirshey	Yes	Mike Paque	Yes
Timmy Kinder	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 17 - 18

Budget Update and Financial Overview (FY 2025) – Mr. Paque called upon Ms. Kathy Aebischer, Chief Financial Officer and Division Director of Administrative Services of the DEQ. Ms. Aebischer gave a presentation on the Fiscal Year 2025 budget update. No action by the Board is required.

transcript pages 18 - 24

DEQ Operational Budget Request (FY 2026) -- Ms. Aebischer gave a presentation on the 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) 2026 (beginning July 1, 2025) must be submitted to OMES by October 1st of this year. Following questions and comments by the Board but none by the public, Mr. Paque called for a motion. Mr. Kinder moved to approve and Mr. Hirshey made the second.

	<i>transcript pages 45 - 52</i>		
Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Peter Schultze	Yes
Ken Hirshey	Yes	Mike Paque	Yes
Jimmy Kinder	Yes		

Employee Disclosures -- Mr. Paque called upon Ms. Jennifer Boyle, General Counsel of the DEQ. Ms. Boyle stated that 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.

transcript pages 52 - 53

Calendar Year 2025 Board Meeting Dates and Locations -- Mr. Paque opened the floor for discussion regarding Board meeting dates and locations: Tuesday, January 21 in OKC; Tuesday, June 10 in OKC; Tuesday, September 9 in Stillwater and Thursday, November 6 in Tahlequah. Dr. Ferrell moved to approve and Mr. Barton made the second.

	<i>transcript pages 54 - 55</i>		
Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Peter Schultze	Yes
Ken Hirshey	Yes	Mike Paque	Yes
Jimmy Kinder	Yes		

Executive Session -- Discussion of Employment Actions Related to Resignation of the State Environmental Laboratory Services Director and Executive Director Performance Review -- Among the statutory duties of the Board are the responsibilities to appoint and set the compensation of the Executive Director and to assist the DEQ in conducting periodic reviews and planning activities related to the goals, objectives, priorities and policies of the DEQ. Mr. Paque called for a motion to go into Executive Session, Mr. Hirshey moved to go into Executive Session and Dr. Ferrell made the second.

	<i>transcript pages 56 - 57</i>		
Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Peter Schultze	Yes
Ken Hirshey	Yes	Mike Paque	Yes
Jimmy Kinder	Yes		

Reconvene into open session -- In open session, Mr. Paque called for a motion to reconvene the Regular Board meeting. Mr. Kinder moved to approve and Mr. Barton made the second.

	<i>transcript pages 57 - 58</i>		
Richard Auer	Yes	Brandi Lowry	Yes

Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Peter Schulze	Yes
Ken Hirshey	Yes	Mike Paque	Yes
Jimmy Kinder	Yes		

Consider taking action on the following – In open session, possible roll call vote on specific actions or recommendations as a result of the Executive Director's annual performance review. There was no action taken.

transcript pages 22 - 31

New Business – None

Next Meeting – The next Regular Meeting is scheduled for Thursday, November 7, 2024 at 9:30 a.m., in Enid, Oklahoma.

Adjournment – Mr. Paque called for a motion to adjourn. Mr. Hirshey moved to adjourn and Mr. Auer made the second. Meeting adjourned at 11:37 a.m.

transcript pages 62 - 63

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Peter Schulze	Yes
Ken Hirshey	Yes	Mike Paque	Yes
Jimmy Kinder	Yes		

Public Forum – No public forum issues were raised.

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

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Page 2

1 across the highway, we have our cultural center.
2 And I really encourage you to make time with your and
3 your family sometime and make a trip to our cultural
4 center, it's a really cool museum. And of course,
5 our Ingot facility across the road is a good
6 place to visit, as well.

7 But, you know, take take any
8 opportunity that you can to look around the
9 headquarters. We have many other wonderful resources
10 here, social services, health services. We also
11 have our accounting, programming, our legal, and
12 then our consumer division, which is another great
13 resource many times, so just encourage.

14 MR. VAIL: Okay, I just want to say
15 again thank you to the staff, that I want to
16 thank all the staff that helped with this. I've learned a lot
17 from the staff at the water board and the work at the
18 water conservation division, and the other staff
19 throughout the organization that have to work with
20 them, and we appreciate that.

21 I see great opportunity to work
22 together cooperatively and you know, as long as
23 sometimes our viewpoint is a little bit different
24 because I don't think it's understanding, in most
25 cases, but I think we can find ways to work

Page 6

Page 3

2 together.
3 I know that my water team has worked
4 with community water providers to just get together
5 for the week they have groups of the (b) (3) (c) groups.
6 And, you know, water certainly turned around, water
7 the capital on many of our water operations and water
8 systems, primarily the (b) (3) (c) water authority.
9 That's a great story that we know we can
10 share with other as some points in the future.
11 So that's all I'll say. A thank
12 thank to Mr. Terry Hurl and the Florida for
13 understanding and getting everything together today.
14 I hope you have a great meeting, and meeting that
15 you need from Water Board, please let me know.

16 MR. BAQUIP: Oh, yes, if you're looking for
17 space in Oklahoma City, we might have some available
18 if you bring a parking garage with you.

19 MR. BAKER: All right.

20 MR. BAQUIP: Thank you very much, we

21 appreciate it.

22 MR. BAKER: Thank you and by the way to you.

23 MR. BAKER: I have a question for you
24 this very conference with how the water and the
25 programs within the community. So you don't
26 have a question or decision? I'm really curious.

1 MR. BAKER: That's a great question. So
2 we work with EPA, they have the Central American
3 Program and then many other environmental programs.
4 Obviously, the EPA stipulates that authority is the
5 (b) (3). And Mr. Martin, a lot of our staff is, you
6 know, very similar or nearly the same as the
7 state's programs.

8 So if you're talking about discharge
9 permits, you know, if you're not (b) (3), (b) (3)
10 permit (b) (3) or (b) (3) or (b) (3) or (b) (3)
11 that's the permit number, (b) (3) or (b) (3) or (b) (3)
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22 that's the permit number, (b) (3) or (b) (3) or (b) (3)

23 So, you know, we are looking at
24 initial rules, environmental rules that would be
25 applicable to that land and how we do operations on

1 (b) (3) or (b) (3) or (b) (3) or (b) (3) or (b) (3)
2 (b) (3) or (b) (3) or (b) (3) or (b) (3) or (b) (3)
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10 (b) (3) or (b) (3) or (b) (3) or (b) (3) or (b) (3)

11 So whether there's a regulation
12 that's from the (b) (3) or the (b) (3) or the (b) (3) or
13 the federal government, we try to recognize that and
14 come into compliance, so hopefully that.

15 MR. MARTIN: Thank you.

16 MR. BAKER: And if answered your

17 question. Thank you.

18 Any other questions?

19 MR. BAKER: Yes, you know (b) (3) or (b) (3) or (b) (3)

20 the (b) (3) or (b) (3) or (b) (3) or (b) (3) or (b) (3)

21 the (b) (3) or (b) (3) or (b) (3) or (b) (3) or (b) (3)

22 the (b) (3) or (b) (3) or (b) (3) or (b) (3) or (b) (3)

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24 the (b) (3) or (b) (3) or (b) (3) or (b) (3) or (b) (3)

25 MR. BAKER: Yes, sir.

26 MR. MARTIN: Yes.

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1 MR. BAKER: And, you know, on the priority
2 or whenever we fall under the State's jurisdiction.
3 we recognize that and we do account into the State,
4 especially the EPA, recognizing our membership status
5 and working through some intergovernmental situations.
6 But most of the time, you know, we
7 recognize your regulations and -- because we're all
8 here to protect and sustain our environment, right?
9 Is that's our goal?

10 MR. STANLEY: And the Nation also is
11 trying making investments into infrastructure, small
12 systems and helping those systems get into
13 compliance with CDF requirements, as well as that's
14 one area where we work pretty closely together, as
15 well.

16 MR. BAKER: Yes. And you know, every time
17 in a while the bill, it has a broad array, maybe, in a
18 situation, and I've enjoyed those opportunities.
19 Great. Thank you and to reach out to me, and Rob,
20 and, you know, say, "What do you know about this,
21 can you help us here?"

22 And we have no facilities that with a
23 lot of, of course, our community members and federal
24 members. And, you know, if we can explain something
25 or educate or inform someone, we're glad to do so.

1 MR. PACQUÉ: Thank you, Tye.
2 Any other questions? Thanks for
3 taking the time.

4 MR. BAKER: Thank you.

5 MR. PACQUÉ: Appreciate it.

6 All right. With that, we'll go on to
7 the next item, which is Roll call.

8 QUINN, call the roll, please.

9 MS. FIELDS: Mr. Asner?

10 MR. ASNER: Yes.

11 MS. FIELDS: Mr. Bartlett?

12 MR. BARTLETT: Yes.

13 MS. FIELDS: Mr. Boush is absent.

14 DR. FERRER?

15 DR. FERRER: Yes.

16 MS. FIELDS: Mr. Hershby?

17 MR. HERSHBY: Yes.

18 MS. FIELDS: Mr. Kendrick?

19 MR. KENDRICK: Yes.

20 MS. FIELDS: Mr. Kendrick is absent.

21 Ms. Lowry?

22 MS. LOWRY: Yes.

23 MS. FIELDS: Mr. Murphy?

24 MR. MURPHY: Yes.

25 MS. FIELDS: Mr. Mumson is absent.

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1 Mr. Schallan?

2 MR. SCHALLAN: Yes.

3 MS. FIELDS: Mr. Tolson is absent.

4 Mr. Payton?

5 MR. PAYTON: Yes.

6 MS. FIELDS: We have a quorum.

7 MR. PACQUÉ: Thank you.

8 Next item on the agenda is Approval

9 of the Minutes. Has everyone had a chance to review
10 the minutes? Any questions, comments?

11 DR. FERRER: Mr. Chairman, I move to

12 approve the minutes as stated in the record.

13 MR. HERSHBY: Second.

14 MR. PACQUÉ: Motion and second is approved.

15 The minutes as presented.

16 Roll call, please.

17 MS. FIELDS: Mr. Asner?

18 MR. ASNER: Yes.

19 MS. FIELDS: Mr. Bartlett?

20 MR. BARTLETT: Yes.

21 MS. FIELDS: Dr. Boush?

22 DR. FERRER: Yes.

23 MS. FIELDS: Mr. Hershby?

24 MR. HERSHBY: Yes.

25 MS. FIELDS: Mr. Kendrick?

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1 MR. KENDRICK: Yes.

2 MS. FIELDS: Ms. Lowry?

3 MS. LOWRY: Yes.

4 MS. FIELDS: Mr. Mumson?

5 MR. MUMSON: Yes.

6 MS. FIELDS: Mr. Schallan?

7 MR. SCHALLAN: Yes.

8 MS. FIELDS: Mr. Payton?

9 MR. PAYTON: Yes.

10 MS. FIELDS: Motion passed.

11 MR. PACQUÉ: Thank you.

12 The next item on the agenda, Item

13 Number 1, Reimbursement, CAG 7427 (00 Air Pollution

14 Control, Appendix B, Primary Auxiliary Air Quality

15 Standards.

16 MS. FIELDS: So I'm actually, what, the
17 only commenting on the agenda today? I was not at
18 surprised by that.

19 So the Department is proposing to
20 amend Appendix C to maintain consistency with the
21 National Ambient Air Quality Standards or NAAQS.
22 Specifically, the PM2.5 primary standard is being
23 amended to reflect recent changes made by EPA in
24 lowering the annual standard from 12 micrograms per
25 cubic meter to 9 micrograms per cubic meter. The

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| | | |
|---------|---|---|
| Page 14 | 1 right of the proposed rule is to remove Appendix 1 to
2 consistent with the federal NAAQS.
3 Notice of the proposed rule change
4 was published in the Oklahoma Register on June 17,
5 2024. The Department received no written comments
6 during the 30-day comment period on any public
7 comments during the Air Quality Advisory Council
8 meeting. The Council unanimously approved the
9 proposal at its July meeting.
10 As Chair of the Air Quality Advisory
11 Council, I recommend that the Board adopt the
12 proposed changes to Chapter 100, Appendix P as
13 permanent rules.
14 Any questions?
15 MR. PAQUET: Any questions? Any members of
16 the public? Board members?
17 Hearing none, Chair would declare a
18 motion.
19 MR. KIMMEL: I as motion. Henry Kimmell to
20 approve.
21 MR. PAQUET: We have a motion.
22 MR. ALLEN: Aye, second.
23 MR. PAQUET: Correct.
24 Call the roll, please.
25 MR. KIMMEL: Mr. Allen? | Page 15
1 associated with modification of an existing source
2 facility class, subject to Subchapter 2) or Part 20
3 source class, subject to Subchapter 3). The
4 Department is also proposing to amend existing rule
5 Appendix to Section 202, 100-2-20, Permit by rule, to
6 clarify requirements for windborne emissions of
7 applications for air quality permits. The goal of
8 the amendment is to clarify air quality permit
9 requirements related to the modification of source
10 facilities and Part 20 sources, and to allow
11 windborne emissions of applications.
12 Notice of the proposed rule change
13 was published in the Oklahoma Register on June 17,
14 2024. The Department received no written comments
15 during the 30-day comment period on any public
16 comments during the Air Quality Advisory Council
17 meeting. The Council unanimously approved the
18 proposal at its July meeting.
19 As Chair of the Air Quality Advisory
20 Council, I recommend that the Board adopt the
21 proposed changes to Chapter 100, Subchapter 1 and 2
22 as permanent rules.
23 MR. PAQUET: Thank you, Laura.
24 Any questions of course by any board
25 member? Questions, comments? Anybody from the |
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1 MR. FILLIM: Mr. President?

2 MR. PAQUET: Yes.

3 MR. FILLIM: Motion carried.

4 MR. PAQUET: Thank you.

5 MR. FILLIM: Thank you.

6 MR. PAQUET: Thank you.

7 Next item on the agenda, Item Number

8 2, Item Seven Item Two's Report, Mr. Houghmire.

9 MR. HUGHMIRE: Thank you very much for

10 opening the report as an item, because actually that

11 we've been doing is we have some, some business in

12 business in the on business in our agency that you

13 mentioned in his presentation, let's be honest.

14 Program has some areas working with a lot of people

15 on some areas working a lot of people.

16 We're going to be working on it, we're

17 going to be working on it, we're going to be working

18 on it, we're going to be working on it, we're

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1 We've also got a lot of things in business

2 that we've got a lot of things in business

3 in the environmental assessment in the business

4 that we've got a lot of things in business

5 supporting the other business in a program in

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1 Back at the 1992, we've had some

2 leadership changes. Probably the most important

3 thing for those who are running the business

4 there is to put together a quality committee

5 leadership team, as my opinion

6 has been that business has been, we've got

7 people in the business business business business

8 business with the business business business business

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1 and Mark has been with the agency for over three

2 decades?

3 MR. FILLIM: Yes.

4 MR. HUGHMIRE: And he's working as a

5 senior manager in the water quality division, is it

6 well, he was the manager in the water

7 division and then he's moved to the water

8 unit of staff.

9 So those two really complementary

10 things, and I think they're complementary in the

11 fact that we're working, they know the water

12 beyond that in the fact that business, we're

13 in the water that goes.

14 With Mark's presentation, that left us

15 opening as the Division Director in 1992 and Travis

16 Merrell, sitting in the back there, was the Assistant

17 Division Director who was supposed to run up there

18 that year. And then that resulted in opening in the

19 old position, and then the business, sitting in the

20 back, is now the business business business business

21 business, business business business business business

22 business, business business business business business

23 business, business business business business business

24 business, business business business business business

25 business, business business business business business

1 state his. And he comes in as from Sydney, he was
2 former Manager in PCH, and then moved internally was a
3 former Manager in the Air Quality Division. He's
4 got a Master's in Public Administration, he was also
5 an air traffic controller for the military, so he's
6 had some experience. And a really solid leader, so
7 we're happy to have him in that position, as well.
8 One of the other things we've done
9 over the last three months is we've established an
10 Office of Canada and Funding Resources. This is a
11 new office in ECU. Angela Hughes, who's our first
12 today has been who's originally an outreach coordinator,
13 representing ECU today, but she brings that she's
14 going to be heading up, those who's purpose is to
15 provide guidance throughout the office in terms of
16 provision of the application of funding opportunities
17 that we have available for projects that align with
18 ECU's mission.
19 The purpose is to provide guidance through
20 funding opportunities regardless of whether or not
21 we're the agency that administered that or if it's
22 another state or federal agency. That is, to have
23 a consistent knowledge of all those resources, both
24 to identify those projects, kind of a just a
25 vehicle for the regulated community.

Page 21

1 knowledge, experience, wherever, to come to ECU
2 and look ways to actually deliver resources
3 related to public health benefits in some way to
4 ourselves.
5 Kind of the general of it is, you
6 know, in the last few years we've had influx of
7 dollars of infrastructure money that's being kind of
8 thrown at a lot of different problems, and a lot of
9 that money getting left on the table just because
10 of kind of grant fatigue, people either don't know
11 about it or they don't know how to access it.
12 I know our kids and our grandkids are
13 going to be paying this money off, so we want want
14 to be sure that infrastructure benefits from as much of it
15 as possible, so
16 ME, ECU, ECU. When you
17 ME, ECU, ECU. Yes, yes.
18 ME, ECU, ECU. Yes, yes. Will you please
19 ME, ECU, ECU. Yes, yes. Will you please
20 ME, ECU, ECU. Yes, yes. Will you please
21 ME, ECU, ECU. Yes, yes. Will you please
22 ME, ECU, ECU. Yes, yes. Will you please
23 ME, ECU, ECU. Yes, yes. Will you please
24 ME, ECU, ECU. Yes, yes. Will you please
25 ME, ECU, ECU. Yes, yes. Will you please

Page 22

1 have the information to help people navigate the
2 process.
3 ME, ECU, ECU. Everything internal. Yeah,
4 okay.
5 ME, ECU, ECU. That's the goal. It's
6 going to take a little while to get that stuff up,
7 but Angela's going through setup phase right now
8 and she's going to be going to the agency, so
9 we can establish those things, the people to be up,
10 of it's going to be a little bit of a process, but
11 we're going to be going to the agency, so
12 things are going to be going to the agency, so
13 ME, ECU, ECU. Yes, yes. Will you please
14 ME, ECU, ECU. Yes, yes. Will you please
15 ME, ECU, ECU. Yes, yes. Will you please
16 ME, ECU, ECU. Yes, yes. Will you please
17 ME, ECU, ECU. Yes, yes. Will you please
18 ME, ECU, ECU. Yes, yes. Will you please
19 ME, ECU, ECU. Yes, yes. Will you please
20 ME, ECU, ECU. Yes, yes. Will you please
21 ME, ECU, ECU. Yes, yes. Will you please
22 ME, ECU, ECU. Yes, yes. Will you please
23 ME, ECU, ECU. Yes, yes. Will you please
24 ME, ECU, ECU. Yes, yes. Will you please
25 ME, ECU, ECU. Yes, yes. Will you please

Page 23

1 Obviously that we'll be able to kind of not come
2 and deliver what's actually available to communities
3 to benefit. We're having just to roll straight from
4 conditions to communities without any delay, so
5 we're still anticipating 18 months or so from start
6 to finish, hopefully.
7 Legislation update. Obviously, and
8 legislative session that we do continue to work very
9 frequently. Michigan's been very busy trying to
10 coordinate resources for various studies that we may
11 be completed in November, and then we're currently going
12 to be from different members of the legislature
13 about community resources or potential legislation
14 during the upcoming session. So just for now we're
15 not in session doesn't mean that things are quiet on
16 that front.
17 ME, ECU, ECU. Yes, yes. Will you please
18 ME, ECU, ECU. Yes, yes. Will you please
19 ME, ECU, ECU. Yes, yes. Will you please
20 ME, ECU, ECU. Yes, yes. Will you please
21 ME, ECU, ECU. Yes, yes. Will you please
22 ME, ECU, ECU. Yes, yes. Will you please
23 ME, ECU, ECU. Yes, yes. Will you please
24 ME, ECU, ECU. Yes, yes. Will you please
25 ME, ECU, ECU. Yes, yes. Will you please

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1 items that came out in the first few months of the
2 year
3
4 Update on our team initiative - If
5 you recall, we introduced a year ago in which we
6 were starting a pilot program with our Air Quality
7 Division with the Enforcement and Compliance
8 Program
9
10 The idea there was we have some very
11 complex requirements that come out of the regulations
12 in terms of fuel gas facilities, power generation
13 facilities, and transportation through EPA - which are
14 the different regulatory agencies - and then a
15 long time ago we have had some compliance issues, and
16 some of our facilities were, I think, over 100 days in
17 violation of it.
18
19 So we wanted to learn that better
20 process and how what kind of improvements we could
21 make, and over the last year, we've implemented
22 these facilities that we have been - the goal is we
23 want every one of those facilities to be out within 120
24 days of the action item.
25
26 And in Fiscal Year 23, we
27 had several of our reports come out as that time
28 period. After going through the last project, we
29 percent of the reports came out within 120 days

Page 26

1 There was one that didn't make it, and it was a
2 recommendation that happened in that time
3 and that 100 percent going out within that
4 timeframe, so that's a pretty significant reduction
5 in just one year
6
7 Another in the team management
8 initiative, we - our Oklahoma Planning efforts,
9 every year we have a workshop with senior
10 leadership, the Oklahoma Division and the system
11 structure and program directors and then myself,
12 Chief of Staff, and the Deputy Executive Director
13 get together - usually for two days, we make sure
14 the wildlife center gets a lot of input, they're very
15 much in the same way every year
16
17 This year we had our strategic
18 planning workshop happen in July, and that year we had
19 a presentation to publishing a policy five years
20 ahead of time every year and updated it every
21 year - we've had facilities that are out that's been
22 reduced, we've identified key strategies that we
23 want to be in line with the planning period
24
25 And that's going to go through all
26 the right side, but if you're interested, we are
27 well going, the first page, there's a reader down at
28 the bottom that has some strategy planning on them

Page 27

1 as you can see the updated plan of progress
2 presented
3
4 I also want to mention two things
5 that we, these major things, they, we have a lot
6 in terms of a small program, they're not the same as the
7 one that we've had, but they're very important for
8 some of our key programs that are the different
9 environmental programs that we have in the state
10
11 I believe in better than the other, we are that
12 that's important to the state, we have a lot of
13 commitment that to that that's
14
15 And that's the one of the things we
16 Executive Secretary, Mr. Thomas Smith, is going to
17 be talking, so this will be the last time that
18 that's the last time for the last time that
19 day of retirement, which we're going to - we're
20 planning a party for the retirement in mid-November,
21 if you guys are interested in coming, we'll
22 definitely want you to be there
23
24 Finally, we're not going to be high
25 and dry - because we agreed to stop in mid-fall
26 shows, thank you, so - there are big things to
27 do, but we know Thomas will be fantastic in doing
28 that,

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1 The last thing I wanted to do is, I'm
2 sort of wanting to recognize the team reports
3 just some staff recognition - And this time, I
4 wanted to recognize and just add the number of our
5 staff members who are really involved in different
6 national organizations
7
8 And so I asked all the different
9 divisions to send me the folks that are involved in
10 these organizations, and the list was incredible,
11 it was a huge list of our staff members, so thank
12 you, well, I'll just go to that table for
13 who have representation going in these national
14 organizations,
15
16 And it's not a pretty picture
17 but, but I do want to let the staff know that
18 that because it's a lot of work that's being done, it's
19 - we know it's for the betterment of the public,
20 but it's - they're representing that in a lot of
21 these kinds of committees and working with the
22 in terms of these organizations which have a big
23 impact on EPA when they're setting policy, a big
24 role when these organizations and states are coming
25 together and speak in a unified voice, and having
26 our voice heard when these policy recommendations
27 are being made is very important,

Page 28

Page 29

1 is just a lot of them. Kay Coffey,
2 she's one of our Water Inside Members, she's been
3 selected to participate in the National Municipal
4 and Counties Bay-Peoria is working on that's
5 sponsored by the American Water Works Association
6 Anna, this group is going to help
7 build relationships with the state DNR and that's
8 coming up for EPA, which helps a bunch of systems
9 across the state, it's a big, big deal here in
10 Oklahoma, they've got a lot of water state drinking
11 water exports that have been requested to
12 participate.
13 The Central Water Protection Council,
14 we've got some good representation from Oklahoma
15 Chair, Treasurer and also the Co-Chair of the
16 Protected Water Task Force. MWA Member in the
17 Aquifer Storage and Recovery - Managed Aquifer
18 Recharge Working Group for Chair
19 Work the Oklahoma League Conservation
20 Association, she's chair in the state of the women
21 in Water Conservation and Protected Water Conservation,
22 both of those committees she's the Chair of. And
23 Karen Steele, the deputy - the Assistant Director
24 for the Water, is the secretary of the
25 organization and Chair of the Environmental Affairs
26 Committee, as well.
27 The Water Environmental Federation,
28 Sharon is Board Treasurer and Chair of the Government
29 Affairs Regulatory Committee and Chair of the
30 Strategic Advisory Committee. Karen Steele, Vice
31 Chair of the Environmental Affairs Regulatory Task
32 Force there.
33 A2LWMA, another national organization,
34 Sharon is the committee lead for state and EPA
35 Drinking Water Enforcement Working group as well as the
36 Chair of the Water House Committee, as well.
37 Shifting - I'm going to skip over a
38 few of the water topics we can get some other
39 Oklahoma in there. There's a lot of Water Policy,
40 we're all right.
41 So a really big deal, A2LWMA,
42 Association of Green and Municipal Solid Waste
43 Operators, it's a really big organization in the
44 nation. Amy Brittain, who's one of our managers in
45 EPA - Land Protection Division - is the current
46 President. And she actually was representing the
47 organization and EPA at ELCA last week, so it was
48 great to run her there.
49 Dennis Martin is the Vice Chair of
50 the National Aquifer Storage Group for A2LWMA, and

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1 Elizabeth McCaskill, also in Land Protection, is the
2 Chair of the National Task Force.
3 EREC, Interstate Regulatory and
4 Regulatory Council, it's a very important kind of
5 work, almost, it's all on the nation of work. We get
6 well-represented there, as well. We've got some
7 leadership in the State Council, David Glines is a former
8 lead for the Solid Mining Waste - House of Solid
9 Mining Waste Committee, and Kathy Nelson is the
10 representative on the Maryland Aquifer Recharge
11 Patrick Kelly, of EPA, is the
12 outgoing President of the Keep Oklahoma Beautiful
13 organization. Melissa Fisher, President for the
14 the State for the Oklahoma Association
15 representing people in Air Quality, we
16 have two National Associations of Clean Air Systems.
17 One is AARP, the Association of Air Pollution
18 Control Agencies. Beverly Brinkley Smith is the
19 Energy Commission in there. Lynn Hightower is the
20 monitoring committee co-chair, Carrie Schreiber is
21 the Oklahoma Inventory of the State.
22 And then NAAEA is the other really
23 big Air Quality association, the National
24 Association of Clean Air Agencies. Ronald Strommen
25 is the current President and Executive Director.

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1 The Chair, and also will be the President of NAAEA
2 starting in October, as well. She's also on the
3 Board of Directors and Treasurer for CWAQIA, which
4 is the Central States Air Pollution Agency that we
5 are a part of.
6 Lastly, the Green Trust Fund
7 Susan Harris, one of our top managers, she is the
8 state director for the State Energy Resources
9 Trustee Foundation in that capacity.
10 So I've skipped over a bunch of them
11 just in the interest of time, but that's just a
12 sampling of how active the agency staff are in all
13 these national organizations. So I wanted to thank
14 them for all that extra effort, that's kind of where
15 our biggest trust fund comes, and it's great work
16 that they're doing.
17 But that's all I've got.
18 MR. PATRICK Kelly, you're right. I make the
19 comment all the time, but I really admire it. And
20 someone that can a national association, to gather
21 words from top to bottom, it's always interesting to
22 see what state put most efforts into doing air,
23 water, or waste associations.
24 And it was representative in the
25 size of the state, with all those, and most states

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1 were able to have influence toward those geographic
2 size or those targeted to those staff size. And I
3 think that Oklahoma -- the last few elections
4 actually, fairly, way back to Mr. Cadmus -- have always
5 emphasized that Oklahoma staff should be on these
6 assignments.
7 And it involves a little bit of
8 travel money and some time that they have to make
9 up, the employees have to make that up, and I think
10 it becomes helping groups, so really a big believer
11 in that.

12 All right. Any?

13 MR. KIMBLE: Can I ask Ms. Kelly a question real
14 quick? Just kind of an organic question that kind
15 of came out just now is that the previous
16 reforming, they talked about allowing elections
17 applications submission, and I'm just curious how
18 many of our applications and forms do we make
19 available online immediately, when available?

20 Are you feeling good about that?

21 Because I just kind of let me that that was
22 something maybe new in the law. Maybe not, but I
23 was just curious about after going through CCHER, I
24 think a lot of things went electronic, but where are
25 we as far as making -- having to make a paper

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1 submission as far as elections submissions?

2 MR. KIMBLE: Yeah, we made a lot of
3 progress. We're in a pretty good place right now.
4 I think there's still work that could be done, but
5 we always show for a paper submission being that
6 some rules aren't consistent in doing it
7 electronically.

8 But generally, I'd have to get back
9 with you and let you know the percentage of the
10 different kind of applications and process
11 applications that we have that are online, but it's
12 by far the majority of them.

13 MR. KIMBLE: In your mind -- where you
14 where you update, the you're trying to make things
15 maybe that are not available immediately as they
16 -- you know, I can see why this also (inaudible)
17 application, for example that's a lot of what
18 agency's doing now.

19 MR. KIMBLE: Yeah, it's an ongoing
20 effort. We've got a committee of the kind
21 program's run each division that meet regularly and
22 that's, I mean, one of the things that we've
23 always been trying to modernized that process.

24 MR. KIMBLE: Well, that's good. We want
25 process. Good. All right.

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1 MR. KIMBLE: Yeah, it does. It's part
2 of it.

3 MR. KIMBLE: Thank you.

4 MR. PUGH: Anybody else questions for
5 Bill? Communications, or anything? None? All right.
6 Thank you.

7 The next item on the agenda is the
8 Budget Update and Financial Overview. Kelly.

9 MR. ALBRECHT: Thank you, Mr. Chairman.
10 I'm Kelly Albrecht, Chief Financial Officer and
11 Director of Administrative Services for OTC, and at
12 this time of year I give you an overview and a more
13 deep dive into the results from the last legislative
14 session on appropriations and our budget down to the
15 divisional level.

16 For FY25, appropriations was
17 increased by 70 percent, over \$18 million. Our
18 total appropriations for FY25 is \$18 million.

19 And as detail on our request, of
20 course we asked for the parking garage again and we
21 were finally successful, so we got \$1.6 million in
22 funding and build our parking garage.

23 And we were also funded for a few
24 positions with the increased workload that we're
25 seeing. So the 4th got one position, Environmental

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1 Compliance & Environmental Services got a position, and
2 Water Quality got two positions.

3 We were also funded \$1 million for a
4 Blue River study on Kansas Hill 1224, which results in
5 another \$1.7 million state appropriations for
6 FY25.

7 So if we go and compare the two years
8 and try to explain this, it's a little bit different
9 than normal. The legislature really supports our
10 agency and trusts our agency, so they have given us
11 a lot of money to make an other projects
12 throughout the year.

13 So if you see, the "10" is state
14 appropriations, and they're multiple years --
15 we've got the \$1.6, which is the \$1.6 million for the
16 parking garage, and then the \$1.7 is a private property
17 from the (inaudible) infrastructure trust funds that we
18 partnered with Rural Water, that was carrying over
19 from previous year. And then the \$1.6 is our
20 appropriations for '25.

21 And then \$200 funds is your --
22 \$200 to \$21 in our funds for personnel,
23 applications, benefits, and then we get -- the \$22
24 is Blue River money, and it's in a separate fund, it
25 shows that graph.

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1 We also -- this legislation seems,

2 they funded two large projects, \$20 million for

3 Canyon Mesa Project and then \$70 million for the

4 Tulsa Lake Project, and those are just pass through

5 funds that we assist those communities and projects.

6 And they are -- it was funded out

7 of RRR -- Reversing Rural Economic Poverty --

8 funds that the Governor set up, but they're

9 accomplishing. It looks like Canyon is off and

10 running, though. We've got already a signed

11 contract, and I expect those to be pretty much spent

12 out this year. On the Tulsa Lake, we'll see how

13 long that takes, but those projects are -- at least

14 the Canyon's moving.

15 We have Federal Funds of -- we had

16 \$11 million last year, we have \$25 million this

17 year. That amount will increase. Since we have

18 incentives, we carry over any unspent funds for the

19 previous year, so that will be increasing.

20 And then we have our Environmental

21 Settlement Fund, which is the WV Settlement, and

22 it's a separate fund of -- we're expecting a little

23 over \$500,000 more in projects to be spent out this

24 year.

25 So that's the detail of what changes

Page 18

1 from '24 to '25, and now I'm going to go into each

2 division, kind of give you an idea of their

3 individual budgets.

4 On the Air Quality division,

5 projects, for '25 they're expecting an increase

6 for some they had a few in 2024, if you remember.

7 For those projects are increasing about \$1.2

8 million for '25. And for '26 estimates, they

9 could not almost do guess of what they projected,

10 so they would go very well.

11 On the all of the housing agencies,

12 that supports the Air programs, they have the

13 housing funds of over \$100 million, Canyon's has

14 \$20 of \$2 million, and Cherokee County of \$10

15 million and WVA Settlement Funds of \$1.2 million, for

16 a Total Funds available of \$21 million.

17 To support their program, it's

18 \$12 million. State programs receiving for air and

19 for \$421,000. We have the Lab that does

20 activities for Air of \$100,000 and then another

21 \$100,000 for the program, so --

22 MR. TAYLOR: KATIE, CAN I REPEAL 400

23 YOUR -- THE YOURSHELD SETTLEMENT FUNDS -- I DON

24 THE FUND OF \$25 -- I THINK, IT'S SPENT, BUT HAVE LONG

25 AND WE EXPECT THAT TO GO UP. THAT'S ALL WE WOULD

Page 18

1 amount of money.

2 MR. TAYLOR: So is it three more

3 years? Where's my Air people?

4 MR. JACOBIAH: I think 2022, maybe.

5 MR. TAYLOR: Okay. Thanks, Katie.

6 I think we have until late 2022 to

7 spend all the funds that were given to the State of

8 Oklahoma.

9 MR. TAYLOR: Okay. Thank you.

10 MR. TAYLOR: Air's budget increases

11 about \$600,000 if you compare it up '24 to '25, and

12 the majority of that's because of the increased

13 fees. And because of the increased fees, they were

14 able to add an additional \$1.1 this year increase

15 with the increased workload.

16 And the increase in your Professional

17 Services is they did a new base IT project in '24,

18 and then we already saw some career wage increase

19 in Air funds which will increase their base

20 Government, but their budget is greatly great this

21 year.

22 And for housing -- their average for

23 '25 is projected to increase about \$400,000. The

24 majority of that is Reversible Housing Loan

25 Payments for this year of \$400,000. Their budget

Page 19

1 is made up of the revolving funds, the direct -- just

2 want some of \$14,400,000. They have programs fees

3 \$20 of \$2 million; budget funds of \$11 million,

4 Total Funds of \$27.6 million,

5 Capital Projects budget is \$23,400,

6 for '25, for Land Program is \$200,000; the capital

7 program capital projects is \$1,700,000, and some

8 projects of over \$1 million,

9 If we look at Capital Projects

10 comparison from '24 to '25, the total is increased

11 about \$100,000. And that's just because we have

12 capital for the revolving project funds for. Which

13 we do, it's going to be direct money to where '24

14 is, the program is available to the REVERSIBLE

15 Housing.

16 WATER DIVISION: THERE'S BUDGETED

17 ABOUT \$100,000 FOR '25, THE TOTAL IS UNCHANGED

18 MAINTENANCE OF WATER CONTING FUND "REVERSIBLE" THAT

19 TOTAL FUNDS TO SUPPORT THE BUDGET, REVERSIBLE FUNDS

20 OF \$100 MILLION, WATER/SEA FUND \$2 OF \$6.7 MILLION,

21 FEDERAL FUNDS, \$7.8 MILLION, STATE APPROPRIATIONS,

22 \$15 MILLION, Total Funds of \$16 million.

23 WATER'S BUDGET OF \$10 MILLION, PLS

24 WATER PROJECTS IS \$1.2 MILLION, LAKE WATER PROJECTS

25 OF \$500,000, and then another fund of

Page 41

1 \$4.4 million.
2 If we look at Water's budget from '24
3 to '25, a decrease of about \$1 million, and that's
4 because of there's going to be less money for
5 the RFA grants. They've kind of gotten caught up in
6 their projects and really started moving. So that
7 first year that we've had in a very short time
8 portion, they've really really spent it all. We're
9 going to have very little to carry over in this
10 year.

11 And their divisional budget in turn,
12 it's just the same through RFA grants is why there's
13 a significant drop. And then they have an increase
14 in salaries because of the two additional positions
15 and then the performance increases.

16 Environmental Concepts and Land
17 Services. Their projections for '25 are about
18 \$125,000 more than '24, and they actually noted the
19 year of '24 very well. They collected 116 percent
20 of the projects, \$4.8 million, an early goal for
21 91%. As they increased their projections a little
22 bit. Kind of increase of how commercial and stuff
23 that's what affects their fees, as they're doing
24 very commercial, but they're doing very well.
25 All the funding sources in support

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1 RFA, they have revolving funds of \$2.5 million,
2 Carryover from '24 of \$1.5 million, Federal funds of
3 \$1.2 million, State Appropriations of \$5.8 million;
4 they also get Penalty funds for law enforcement
5 grants, which is a really good program that they do
6 to help people in need, it's about \$20,000; and
7 another of \$800,000, the Air work they do of
8 \$450,000; and Water work of \$1.7 million. Total
9 funds is just a little more \$12 million.

10 It's a budget is \$6.8 million, and
11 higher than of \$2.5 million. If we compare
12 it to the budget in '24 to '25, it's an increase of
13 \$12,000 and that's because of the additional RFA,
14 the increase in penalty grants, and

15 They also have Environmental Land Services
16 Services, their projections for '25 were about
17 increased about \$500,000. They noted '24 was only
18 collected about 71 percent of their projects.
19 and so \$1.9 million is about what they've done
20 currently.

21 State Environmental Land Services
22 Services funds of \$1.4 million; that's from about
23 \$1.5 million that they had to be cut by \$100,000
24 because that's the year of \$1.4 million, Federal
25 funds of \$1.2 million; State Appropriations of \$1.1

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1 million, Air activities of \$700,000, Air activities
2 of \$100,000, Water activities of \$500,000, Total
3 funds of \$6.2 million. The Air's budget is \$2.4
4 million, and includes funds of \$1.8 million.
5 State Environmental Land Services
6 has been reduced of \$1.1 million from '24, they do
7 get expenditures in line and get them when they
8 need to be.

9 The salaries decreased about \$32,000,
10 but that's the net of additional expenditures and
11 performance raises. And then we have a large
12 increase, \$1 million in Payroll for the year
13 increases in '24 that will not be happening in '25.

14 Administration Services and
15 Information Technology Budget, FY25 RFA from the
16 division of \$14 million, Carryover from '24 of \$2.5
17 million, we received funds from RFA for Accounting
18 Services of \$20,000, State Appropriations for the
19 Parking Garage, pay, \$16 million, Federal Grants of
20 \$1.8 million, Income Tax for Educational Grants of
21 \$10,000; and Penalty funds of \$100,000, Total funds,
22 \$15 million.

23 Request Budget for '25 is
24 \$16.5 million, Penalty funds in RFA for the Parking
25 Grants is \$60,000, Federal Funds of \$10,000. When

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1 we compare the budget from '24 to '25, it increases
2 a net of \$1.6 million, and that's the parking
3 garage is why it's increasing.
4 We'll go over what we've had and what
5 of activity for FY25, so it's not just going, but
6 it's what we have for '25, revenue, we've already
7 collected \$1.6 million of revenues, about a percent
8 of our projected revenue was in line to what we
9 were last year. The Air actually looks good
10 meeting that, so we're what we're going for that, but
11 there's a big increase in that year.

12 And then the projects expenditures,
13 again, not a lot of projects for this month, mainly
14 payroll and their pay costs, mainly of other staff
15 employees, so \$2.2 million more of '25 funds. And
16 that's just kind of one of what's spending money,
17 mainly employees funds and related funds.

18 Do we have any questions?

19 MR. LUTHER: Can you tell me is there any
20 update on the timing of the funding of the parking
21 garage project?

22 MR. LUTHER: It's under right now.

23 MR. LUTHER: It is funded?

24 MR. LUTHER: (Indistinct sound).

25 MR. LUTHER: Thank you.

| | |
|---|--|
| <p>1 MR. PACIO: As stated.</p> <p>2 MS. APPELHORN: All right. The next item</p> <p>3 is it's another budget year, so we are proposing</p> <p>4 a Budget Request for 2025. We are just requesting</p> <p>5 one, and it's for the Water Quality Division, and</p> <p>6 we're requesting five full-time employees, a total</p> <p>7 amount of \$404,919. This funding will establish a</p> <p>8 dedicated fund and support position in the Public</p> <p>9 Water Supply program.</p> <p>10 These additional staff will provide</p> <p>11 technical assistance and training for the drinking</p> <p>12 water systems on the new Lead and Copper Revised</p> <p>13 Rule, Lead Service Rule, and the Lead and Copper</p> <p>14 Rule action plan.</p> <p>15 Additionally, these staff will</p> <p>16 develop and submit all required Primary documents in</p> <p>17 order for Delaware to implement these rules in place</p> <p>18 of EPA. These staff will develop templates and</p> <p>19 other compliance assistance tools for drinking water</p> <p>20 systems.</p> <p>21 As if we look at our Requests for</p> <p>22 '25, we are just requesting ongoing support for</p> <p>23 Water Quality of \$404,919, with a total request for</p> <p>24 '25 of \$431,609, L10.</p> <p>25 And I'd just like to have a statement</p> | <p>Page 45</p> <p>2 approximating the deadline, we have not taken the time</p> <p>3 to step back and evaluate that trial process.</p> <p>4 MR. HUBBELY: You know the question I</p> <p>5 have is what are these full-time employees going to</p> <p>6 do? Relative to that and knowing how it flows the</p> <p>7 whole thing, just originally, do we really have a</p> <p>8 problem is what I'm trying to get at.</p> <p>9 MS. STEELE: May I ask you the Council?</p> <p>10 MR. HUBBELY: Please.</p> <p>11 MS. STEELE: Hi, I'm Karen Steele, I'm the</p> <p>12 Assistant Division Director for the Water Quality</p> <p>13 Division.</p> <p>14 MR. PACIO: So can you repeat the question</p> <p>15 that was asked, just so</p> <p>16 MR. HUBBELY: Okay. So not in relation</p> <p>17 this, and it may be that, Karen, you don't have all</p> <p>18 the information yet, but knowing how the copper and</p> <p>19 lead based initiative more shows from EPA that they</p> <p>20 required all the jurisdictions in the assessment</p> <p>21 analysis, at a cursory level. To clarify is</p> <p>22 MR. PACIO: And, you would say, of what the</p> <p>23 current situation in regard, is it there as we</p> <p>24 not there in -- and so you've got full-time employees</p> <p>25 requests in being in for this topic.</p> <p>How does that analysis that says,</p> |
| <p>1 like we did last year. EPA's requirements approval for</p> <p>2 the agency to submit a budget request meeting up to</p> <p>3 \$404,919 with recognition that the final request may</p> <p>4 be amended downward in order to comply consistent</p> <p>5 with any directions provided by the Governor's</p> <p>6 Office after Board deliberation but before the</p> <p>7 budget request submission deadline.</p> <p>8 The deadline is October 1st is when</p> <p>9 we will submit our request, but as of today we</p> <p>10 haven't received any instructions from the</p> <p>11 Governor's Office to proceed and</p> <p>12 MR. PACIO: That is?</p> <p>13 MR. APPELHORN: That's it.</p> <p>14 MR. PACIO: All right.</p> <p>15 MR. HUBBELY: So a question on the budget</p> <p>16 request based on the fact that it's the Copper and</p> <p>17 Lead and that program that was handed down by EPA to</p> <p>18 jurisdictions, that the jurisdictions had to do an</p> <p>19 inventory assessment of that. I know the City of</p> <p>20 Rocky, we've done that.</p> <p>21 What is the status? Have you seen</p> <p>22 what the results are as far as a cursory preliminary</p> <p>23 assessment, kind of a rough, do they have</p> <p>24 awareness of any kind of impact?</p> <p>25 OK, so we -- we know that the systems are</p> | <p>Page 46</p> <p>1 Oh, this is the request across the state of Delaware</p> <p>2 and what they're going to be doing, at least? Do</p> <p>3 we have a handle on that yet or is this just being</p> <p>4 -- is this being promoted and saying, 'We're</p> <p>5 going to request if business we anticipate that we</p> <p>6 can and we may need to reduce it?', like Kathy says,</p> <p>7 we may not need it. So I'm just trying to get an</p> <p>8 analysis.</p> <p>9 Now, in what I -- I know that the</p> <p>10 City of Rocky, where I'm a city administrator, we've</p> <p>11 done this analysis, we've done a cursory, we don't</p> <p>12 know much of any of that. So I'm just trying to</p> <p>13 figure out where we know across the state on this</p> <p>14 topic as a whole.</p> <p>15 MS. STEELE: So Rocky mentioned earlier</p> <p>16 the emergency measures and the fact that has been</p> <p>17 doing some planning, but not having the final</p> <p>18 Governor line (summary) right up (summary) part of</p> <p>19 what this question will address.</p> <p>20 So the Lead says a form (summary)</p> <p>21 comparison, the impact of the items will (summary)</p> <p>22 be smaller (summary) and (summary) have</p> <p>23 (summary) (summary) (summary) (summary) (summary) (summary)</p> <p>24 to say that is not among one of those, this (summary)</p> <p>25 are (summary) (summary) (summary) (summary) (summary) (summary)</p> |

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1 MR. HERRLEY: Besides communities, as it
2 appears that smaller communities may be impacted?
3 MR. STIFFLE: Yes.
4 MR. HERRLEY: Okay. That's what I was
5 wanting to know. But we don't know the extent of it
6 yet, so we don't know exactly how broad this may be?
7 MR. STIFFLE: (Cries) Part of the
8 workload that we anticipate addressing with these
9 additional FTEs includes the state review of all
10 initial and updated inventories and the tracking of
11 the inventories and the tracking of the
12 regulations.
13 MR. HERRLEY: You've answered my question.
14 MR. STIFFLE: Okay. Well, I was hoping to
15 have the opportunity to share some responses with the
16 board today. So we did ask some of the other states
17 how they were anticipating staffing the lead and
18 support roles that are coming, including the lead and
19 support role positions and the lead and support role
20 improvements, which will be into effect in October.
21 The Wyoming, which is the
22 administrator for the drinking water program there,
23 is planning to add about staff for these additional
24 states, which is also a fairly small population, is
25 adding seven, a little bit closer to twelve, we are

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1 that Kansas is looking at adding 11 and Missouri.
2 So, so we have evaluated the scope of the upcoming
3 rules and made our request accordingly.
4 MR. BARTON: And the federal budget working
5 with it.
6 MR. PAQUET: Okay. Thank you, Karla.
7 MR. BARTON: So just while you're here,
8 could you talk a little bit -- you know, we really
9 cherish the incredible history of implementing
10 transferring Water Quality's standards to the Water
11 Resources Board's. Can you -- are you kind of over
12 the talk of that, is that finalized and working for
13 us now?
14 MR. STIFFLE: It is. We were able to, with
15 the additional positions, hire staff to fill those
16 positions at the beginning of this fiscal year. We
17 got several excellent candidates that are really
18 working on doing the records review and doing the
19 review of the SWTR documents that were transferred
20 and getting those filed appropriately, reviewed
21 appropriately, and preparing for our first formal
22 review next year.
23 MR. BARTON: Thank you.
24 MR. STIFFLE: You're welcome.
25 Any other questions?

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1 MR. PAQUET: All right. Any other
2 questions of Karla? Questions, any members of the
3 public?
4 Coming again, hearing none, thank you.
5 motion, appropriate it.
6 So the next steps on the agenda -- oh,
7 yes, approval, yes, I'm sorry.
8 MR. KINDEH: Jimmy Kindeh, I so -- I move
9 we approve the request --
10 MR. PAQUET: We have a motion.
11 MR. KINDEH: -- following a caveat about
12 the Governor's guidance, I guess.
13 MR. HERRLEY: Second.
14 MR. PAQUET: Motion and a second. Take the
15 roll, please.
16 MR. FIELD: Mr. Auditor?
17 MR. AUDIT: Yes.
18 MR. FIELD: Mr. Barton?
19 MR. BARTON: Yes.
20 MR. FIELD: Mr. Kindeh?
21 MR. KINDEH: Yes.
22 MR. FIELD: Mr. Herrley?
23 MR. HERRLEY: Yes.
24 MR. FIELD: Mr. Kindeh?
25 MR. KINDEH: Yes.

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1 MR. FIELD: Mr. Kindeh?
2 MR. KINDEH: Yes.
3 MR. FIELD: Mr. Mason?
4 MR. MASON: Yes.
5 MR. FIELD: Mr. Kindeh?
6 MR. KINDEH: Yes.
7 MR. FIELD: Mr. Paquet?
8 MR. PAQUET: Yes.
9 MR. FIELD: Motion passed.
10 MR. PAQUET: Okay. Thank you.
11 Next item on the agenda is Item
12 Number 10, right? Yes. That's Item Number 10,
13 Employee Disasters.
14 Is that?
15 MR. BEVEL: Good morning, yes. Every
16 year, the Environmental Quality finds requires DEQ
17 employees to disclose any financial interest they
18 may have in any of the industries that we regulate.
19 And even though I get all kinds of interesting
20 responses when I send the notification out each
21 year, only one seemed to potentially qualify.
22 We do have an employee who works part
23 time for the Oklahoma City Zoo and we have issued
24 some permits in camp, but then got them not meeting
25 in any way, so we do not see any potential conflict

1 Un-Oh.
2 We find it all I would know to
3 involved. There's no doubt about it for today. It's
4 informationally only
5 MR. PALMER: Are you talking, someone? Not
6 There was, that's what we're doing.
7 Have questions? I believe your job
8 Donald Murphy had me and his ideas. This will
9 involve a Board vote for approval. Then as soon
10 as they're ready at two meetings in Washington City,
11 now in Baltimore, and now in Indianapolis.
12 Are you serious?
13 MR. TULLY: Oh, yes, it's actually now
14 something, you first time in Chicago like that for
15 January.
16 MR. PALMER: Are you serious, sir? Or
17 discussion on performance? Seriously? We have status
18 being prepared for January the day in the field.
19 MR. TULLY: Is it possible to staff
20 for the day in the field?
21 MR. SIMILARY: Because of the changes in
22 the state which we have to get our rules for the
23 legislation, every day would help because I think
24 it's the possibility of change we have to know
25 everything finalized after we've got it, assuming

- 1 That it's going to be done sometime. You've got to
- 2 wait one day, would probably be giving them just a
- 3 little bit more time
- 4 MM BAKYH: Yes the day would be
- 5 preferable?
- 6 MM BAKYH: Just at leisure. Any other
- 7 discussion? Any discussion of Committee members as
- 8 today? No? Okay
- 9 Hearing room, with that state as usual,
- 10 January 21st, in terms of serious for equipment items
- 11 stated and in action?
- 12 MM BAKYH: Yes please
- 13 MM BAKYH: What time is this?
- 14 MM BAKYH: January
- 15 MM BAKYH: Meeting point is working, it's all right
- 16 and, please
- 17 MM BAKYH: the Agent
- 18 MM BAKYH: yes
- 19 MM BAKYH: the equipment
- 20 MM BAKYH: yes
- 21 MM BAKYH: (in, equipment)
- 22 (in, equipment) - yes,
- 23 MM BAKYH: the equipment
- 24 MM BAKYH: yes,
- 25 MM BAKYH: MM BAKYH

Page 5, 1

1 MR. KING:FR. Yes

2 MS. FIELDS: Ms. Lowry?

3 MS. LOWRY: Yes.

4 MS. FIELDS: Mr. Mason?

5 MR. MASON: Yes.

6 MS. FIELDS: Mr. Schneider?

7 MR. SCHULTZ: Yes.

8 MS. FIELDS: Mr. Paquin?

9 MR. PAQUIN: Yes.

10 MS. FIELDS: Motion passed.

11 MR. PAQUIN: All right. Moving on to item

12 number 12, Executive Session. Discussion of

13 Employment Actions Related to Resignation of the

14 State Environmental Lab Services Director and

15 Executive Director Performance Review.

16 So with this, we -- do we have a

17 motion to go into executive session? I'll take a

18 motion to go into executive session.

19 Mr. HARTLEY: no move.

20 MS. FIELDS: There may be some discussion

21 by the board.

22 MR. PAQUIN: beforehand?

23 MR. LEWIS: Yeah.

24 MR. PAQUIN: Oh, yeah, that's

25 Mr. LEWIS: Any discussion

[illegible]

1 MR. KIRKPATRICK: Yes.
2 MR. KIRKPATRICK: Mr. Hirshey?
3 MR. HIRSHHEY: Yes.
4 MR. KIRKPATRICK: Mr. Kusler?
5 MR. KIRKPATRICK: Yes.
6 MR. KIRKPATRICK: Ms. Lantry?
7 MR. LANTRY: Yes.
8 MR. KIRKPATRICK: Mr. Mason?
9 MR. MASON: Yes.
10 MR. KIRKPATRICK: Mr. Schuler?
11 MR. SCHULER: Yes.
12 MR. KIRKPATRICK: Mr. Tague?
13 MR. TAGUE: Yes.
14 MR. KIRKPATRICK: Motion passed.
15 MR. KIRKPATRICK: All right. We'll adjourn for
16 a little bit.
17 IF-ONLY SESSION (ended from 10:44 AM to 11:30 AM)
18 MR. KIRKPATRICK: All right. So we've had our
19 afternoon session. Is there a motion to reconvene?
20 I'm sorry, this is an interesting question.
21 MR. KIRKPATRICK: Yeah, would it be better to
22 go ahead and reconvene with that?
23 MR. KIRKPATRICK: So a motion by Mr. Kirkpatrick?
24 What was that, Kirkpatrick?
25 MR. KIRKPATRICK: To reconvene.

1 MR. TAGUE: We do have a motion to
2 reconvene. Is there a second?
3 MR. BARTON: Yes.
4 MR. TAGUE: Motion and a second. Take the
5 roll, please.
6 MR. KIRKPATRICK: Mr. Ames?
7 MR. AMES: Yes.
8 MR. KIRKPATRICK: Mr. Barton?
9 MR. BARTON: Yes.
10 MR. KIRKPATRICK: Mr. Farrell?
11 MR. FARRELL: Yes.
12 MR. KIRKPATRICK: Mr. Hirshey?
13 MR. HIRSHHEY: Yes.
14 MR. KIRKPATRICK: Mr. Kusler?
15 MR. KIRKPATRICK: Yes.
16 MR. KIRKPATRICK: Ms. Lantry?
17 MR. LANTRY: Yes.
18 MR. KIRKPATRICK: Mr. Mason?
19 MR. MASON: Yes.
20 MR. KIRKPATRICK: Mr. Schuler?
21 MR. SCHULER: Yes.
22 MR. KIRKPATRICK: Mr. Tague?
23 MR. TAGUE: Yes.
24 MR. KIRKPATRICK: Motion passed.
25 MR. TAGUE: Okay. Just briefly on item

1 number 14, we did meet in numerous sessions. We
2 heard from the Executive Committee on numerous
3 occasions in the department and we also discussed the
4 Executive Bureau's performance in that form
5 form 1, something like that.
6 And I think the officers agree as they
7 see fit, but we're very pleased with how well you've
8 done for 90 days, 100 days, and I think that you've
9 navigated well. We're especially impressed by the
10 breadth of the employees at headquarters and what you've
11 done with the staffing, as really have various,
12 Anyway, and
13 the conference. Well, I was sitting in
14 meetings, groups, and you're very good at it, and
15 getting the most out of you in a very short time.
16 And you have a strong and the agency and the people
17 that are very good.
18 Now that it seems to be very good, and
19 agency. Well, you're, it's really good, and it's
20 getting to be a very good one, and it's very good.
21 I think that it's really good, and it's very good.
22 Well, I think that it's really good, and it's very good.
23 The fact is, and it's very good, and it's very good.
24 It's really good, and it's really good, and it's really good.
25 It's really good, and it's really good, and it's really good.

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1 I'm very happy to hear that you're confirming that,
2 and particularly the reports, I have to hear about
3 the activities of staff and what they're doing on
4 staff, you know, within the department, but outside
5 of the department, you know - yes, very glad to hear
6 that
7 MR. BARRY: Anybody?
8 MR. BARRY: Why are you this question?
9 (What are you asking?) that is what I'm asking.
10 I'm asking you.
11 MR. BARRY: What are you asking?
12 MR. BARRY: What are you asking?
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CERTIFICATE

I, Jenny Longley, Certified Shorthand

Reporter within and for the State of Oklahoma, do
hereby certify that the above and foregoing meeting
was by me taken in shorthand and thereafter
transcribed; and that I am not an attorney for nor
relative of any of said parties or otherwise
interested in the event of said action.

IN WITNESS WHEREOF, I have hereunto

set my hand and official seal this 16th day of
September, 2024.



Jenny Longley, CSR
CSR # 1903



**OKLAHOMA
Environmental
Quality**

ENVIRONMENTAL QUALITY BOARD

Attendance Record

September 10, 2024

Durant, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

| | |
|-------------------|---------------------|
| Malcolm Zachariah | DEQ |
| Quiana Fields | DEQ |
| Sharon Smith | DEQ |
| Rob Singleton | DEQ |
| Jeremy Noak | Choctaw Nation |
| Tracy Horst | " " |
| Kathy Reischer | DEQ |
| Kelly Dixon | DEQ |
| Karen Steele | DEQ |
| Steve Melton | DEQ Board Member |
| Buck Ground | EEO |
| MARK BARTON | EQB |
| Kanna Pennington | DEQ |
| Trevin Merrill | DEQ |
| Peter Schultze | Board Member |
| Madison Miller | DEQ |
| Travis Couch | DEQ |
| ERIN HARTER | DEQ |
| Jennifer Bragg | DEQ |
| Nichelle Wynn | DEQ |
| MARC RAQUE | DEQ EQB |
| Shaymon Ferrell | DEQ EQB |
| Mark Hildebrand | DEQ |
| George Russell | DEQ |
| Jimmy Rucker | Board |
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**OKLAHOMA
Environmental
Quality**

ENVIRONMENTAL QUALITY BOARD

Attendance Record

September 10, 2024

Durant, Oklahoma

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|----------------|----------------|
| Jennifer Lewis | OAG |
| Jeff Brantz | ODEQ |
| Karin Smith | ODEQ |
| Derek Krupar | ODEQ |
| Laura Liles | AQC |
| Brandi Lowry | DEQ |
| Ken Hickey | DEQ Board |
| Rich Lee | DEQ Board |
| Ron Workman | Choctaw Nation |
| Jonathan Alm | DEQ |
| Tye Baker | Choctaw Nation |