

**MINUTES
ENVIRONMENTAL QUALITY BOARD
JUNE 11, 2024
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA CITY, OKLAHOMA**

**Official EQB Approved
On September 10, 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 75 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 May 31, 2024 and was posted at the DEQ on June 10, 2024. Mr. Mike Pague, Chair, called the meeting to order. Mr. Pague welcomed new Board members, Ms. Brandi Lowry, Mr. Sheldon Tatum and Peter Schultze to the meeting. Ms. Fields called roll and a quorum was confirmed.

MEMBERS PRESENT

Richard Auer
Mark Barton
Shannon Ferrell
Ken Hinkley
Jimmy Kinder
Alexie Kendrick
Brandi Lowry
Steve Mason
Tim Monson
Peter Schultze
Sheldon Tatum
Mike Pague

DEQ STAFF PRESENT

Rob Singletary, Executive Director
Mubson Miller, Deputy Executive Director
Jennifer Boyle, 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
Stacey Tucker, Administrative Services Division
Kathy Aebischer, Administrative Services Division
Kelly Dixon, Land Protection Division
Kate Kennedy, Land Protection Division
Kendal Stegmann, Air Quality Division
Beverly Botchelt Smith, Air Quality Division
Cody Davidson, State Environmental Laboratory Services
Jeff Franklin, State Environmental Laboratory Services
Melanie Foster, Air Quality Division
Tyrin Hurley, State Environmental Laboratory Services
Tavis Menck, Environmental Complaints & Local Services
Skyler McElhenny, Office of Continuous Improvement
Vance Pennington, Environmental Complaints & Local Services
Ryan Kirk, Land Protection Division
Nicholas Huber, Environmental Complaints & Local Services
Keven Stone, State Environmental Laboratory Services
Lynzee Chan, Water Quality Division
Lee Doohey, Environmental Attorney
Cliff Hoyle, Land Protection Division
Angela Hughes, Office of External Affairs
Dan Melton, Administrative Services Division
Kebekah Penn, Administrative Services Division
Shelby Dye, Administrative Services Division
Tavis Couch, Environmental Attorney
Holly Cannon, Water Quality Division
Malcolm Zachariah, Air Quality Division
Natalie Cota, Office of External Affairs
Lloyd Kirk, Office of External Affairs
Chris Robinson, Environmental Attorney
Kylan Hultman, Environmental Attorney
April Ibarra, Environmental Attorney
Sharon Smith, Office of the Executive Director
Quiana Fields, Board & Council Secretary

MEMBERS ABSENT
John Houston

OTHERS PRESENT
Jennifer Lewis, Office of the Attorney General
Victoria Tran, Office of the Secretary of Energy & Environment
Luke Lyles, Court Reporter
Laura Lodes, Air Quality Advisory Council
Donn Duzan, Water Quality Management Advisory Council

Approval of Minutes -- Mr. Paque called for a motion to approve the February 13, 2024 Regular Meeting minutes. Mr. Hirshey moved to approve and Mr. Kinder made the second.

transcript pages 4 - 5

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Peter Schultze	Yes
Jimmy Kinder	Yes	Sheldun Tatum	Abstain
Alexis Kindrick	Yes	Mike Paque	Yes

Executive Session – Discussion of employment, hiring, appointment, and/or resignation of the Executive Director Among the statutory duties of the Board are the responsibilities to appoint and set compensation of the Executive Director. Mr. Paque called for a motion to go into Executive Session, Dr. Ferrell moved to go into Executive Session and Mr. Kinder made the second.

transcript pages 6 – 8

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Peter Schultze	Yes
Jimmy Kinder	Yes	Sheldun Tatum	Yes
Alexis Kindrick	Yes	Mike Paque	Yes

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

transcript pages 8 - 9

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Peter Schultze	Yes
Jimmy Kinder	Yes	Sheldun Tatum	Yes
Alexis Kindrick	Yes	Mike Paque	Yes

Consider taking action on the following Mr. Paque called for a motion to nominate an Executive Director for the Department of Environmental Quality, Dr. Ferrell moved that the Board appoint Mr. Robert Singletary as the new Executive Director of the Department of Environmental Quality at a salary of \$180,000 per year. Ms. Kindrick made the second.

transcript pages 9 - 11

Richard Auer	Yes	Brandi Lowry	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Peter Schultze	Yes
Jimmy Kinder	Yes	Sheldun Tatum	Yes
Alexis Kindrick	Yes	Mike Paque	Yes

Rulemaking – OAC 252:100 Air Pollution Control [AMENDED] – Mr. Paque called upon Ms. Laura Lodes, Chair of the Air Quality Advisory Council (AQAC), to present

the rule. Ms. Lodes stated that the agency is proposing to amend the Permit By Rule (PBR) in OAC 252:100-7-60.5, in response to the U.S. Environmental Protection Agency's (EPA's) recently promulgated requirements in 40 C.F.R. Part 60, Subpart 60000b Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After December 6, 2022 (NSPS Subpart 60000b). Additionally, the proposed amendment would allow the use of legally and practicably enforceable (LPE) limits when determining a facility's eligibility for the PBR. The gist of the proposed rule is to clarify source eligibility criteria for the PBR and ensure that the current PBR allows facilities potentially subject to NSPS Subpart 60000b to take LPE limits to avoid applicability of the federal requirements for certain equipment. Hearing no questions or comments by the Board or the public, Mr. Paque called for a motion. Mr. Kinder moved to approve and Dr. Ferrell made the second.

transcript pages 12 - 16

Richard Auer	Yes	Brandi Lowrey	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Peter Schulze	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Alexis Kendrick	Yes	Mike Paque	Yes

Rulemaking – OAC 252:301 Laboratory Accreditation (AMENDED) – Mr. Paque called upon Mr. Brian Duzan, Chair of the Water Quality Management Advisory Council (WQMAC), to present the rules. Mr. Duzan stated that the DEQ staff is proposing to update the rule to modify the title, clarify program definitions, correct references, and standardize language between other DEQ Lab Accreditation Program (LAP) rules. Additional proposed updates are to simplify the program renewal and application processes and fee calculations, remove the late application fee, and revise the annual accreditation period and timelines for submitting renewal applications and invoice payment. Other proposed changes are to update incorporations by reference for EPA methodologies and to make other amendments for conformity and added flexibility with method requirements under the EPA Primary Drinking Water regulations, National Standards for Solid Waste Methods, and EPA Test Procedures for the Analysis of Pollutants. The Department is also proposing rule amendments clarifying accreditation groups and types, proficiency testing, and laboratory assessments. Hearing no questions or comments by the Board or the public, Mr. Paque called for a motion. Mr. Barton moved to approve and Dr. Ferrell made the second.

transcript pages 16 - 20

Richard Auer	Yes	Brandi Lowrey	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Peter Schulze	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Alexis Kendrick	Yes	Mike Paque	Yes

Rulemaking – OAC 252:302 Field Laboratory Accreditation (AMENDED) – Mr. Duzan stated that the DEQ staff is proposing to update the rule to modify the title, clarify program definitions, correct references, and standardize language between other DEQ Lab Accreditation Program (LAP) rules. Additional proposed updates are to simplify the program renewal and application processes and fee calculations and revise the annual accreditation period and timelines for submitting renewal applications and invoice payment. Other proposed changes are to update incorporations by reference for EPA

methodologies and make amendments allowing more flexibility with method requirements under the national program for EPA Test Procedures for the Analysis of Pollutants. The Department is also proposing rule amendments to clarify proficiency testing requirements. Hearing no questions or comments by the Board or the public, Mr. Paque called for a motion. Mr. Mason moved to approve and Mr. Hirshey made the second.

transcript pages 20 - 21

Richard Auer	Yes	Brandi Lowery	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Peter Schulze	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Alexie Kendrick	Yes	Mike Paque	Yes

Rulemaking OAC 252.307 TNI Laboratory Accreditation [AMENDED] – Mr. Duzan stated that the DEQ staff is proposing to update the rule to modify the title, clarify program definitions, correct references, and standardize language between other DEQ Lab Accreditation Program (LAP) rules. Additional proposed updates are to simplify the program renewal and application processes and fee calculations, remove the late application fee, and revise the annual accreditation period and timelines for submitting renewal applications and invoice payment. Other proposed changes are to update incorporations by reference for EPA methodologies and to make other amendments for conformity and added flexibility with method requirements under the EPA Primary Drinking Water regulations, National Standards for Solid Waste Methods, and EPA Test Procedures for the Analysis of Pollutants. The Department is also proposing rule amendments to clarify proficiency testing requirements. Hearing no questions or comments by the Board or the public, Dr. Ferrell called for a motion. Mr. Auer moved to approve and Mr. Barton made the second.

transcript pages 23 - 27

Richard Auer	Yes	Brandi Lowery	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Peter Schulze	Yes
Jimmy Kinder	Yes	Sheldon Tatum	Yes
Alexie Kendrick	Yes	Mike Paque	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 37 - 40

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

transcript pages 39 - 42

Capital Budget Request (FY 2026) – Ms. Arbischer gave a presentation on the Capital Budget Request for Fiscal Year 2026. Hearing no questions or comments by the Board or the public, Mr. Paque called for a motion. Dr. Ferrell moved to approve and Mr. Barton made the second.

transcript pages 43 - 46

Richard Auer	Yes	Brandi Lowery	Yes
Mark Barton	Yes	Steve Mason	Yes

Stanley Ford	Yes	Tim Munson	Yes
Ken Hirsch	Yes	Peter Schulte	Yes
Jerry Kinder	Yes	Shelene Tatum	Yes
Alexis Kozinski	Yes	Mike Pague	Yes

New Business – None

Next Meeting – The next Regular Meeting is scheduled for Tuesday, September 10, 2024 at 9:30 a.m., in Durant, Oklahoma.

Adjournment – Mr. Pague called for a motion to adjourn. Mr. Munson moved to adjourn and Mr. Kinder made the second. Meeting adjourned at 11:35 a.m.

transcript, pages 45 - 47

Richard Auer	Yes	Brandi Lowry	Yes
Mark Burton	Yes	Steve Mason	Yes
Stanley Ford	Yes	Tim Munson	Yes
Ken Hirsch	Yes	Peter Schulte	Yes
Jerry Kinder	Yes	Shelene Tatum	Yes
Alexis Kozinski	Yes	Mike Pague	Yes

Public Forum – No public forum issues were raised.

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

Page 1	
1	Environmental Quality Board Meeting
2	Environmental Quality Board
3	June 11, 2024
4	Indianapolis City, Indiana
5	
6	MEMBER PRESENT
7	Mr. [Name]
8	Mr. [Name]
9	Mr. [Name]
10	Mr. [Name]
11	Mr. [Name]
12	Mr. [Name]
13	Mr. [Name]
14	Mr. [Name]
15	Mr. [Name]
16	Mr. [Name]
17	Mr. [Name]
18	Mr. [Name]
19	Mr. [Name]
20	Mr. [Name]
21	Mr. [Name]
22	Mr. [Name]
23	Mr. [Name]
24	Mr. [Name]
25	Mr. [Name]

Page 2	
1	Environmental Quality Board
2	Mr. [Name]
3	Environmental Quality Board
4	of [Name]
5	Mr. [Name]
6	Environmental Quality Board
7	Environmental Quality Board
8	Environmental Quality Board
9	Environmental Quality Board
10	Environmental Quality Board
11	Environmental Quality Board
12	Environmental Quality Board
13	Environmental Quality Board
14	Environmental Quality Board
15	Environmental Quality Board
16	Environmental Quality Board
17	Environmental Quality Board
18	Environmental Quality Board
19	Environmental Quality Board
20	Environmental Quality Board
21	Environmental Quality Board
22	Environmental Quality Board
23	Environmental Quality Board
24	Environmental Quality Board
25	Environmental Quality Board

Page 3	
1	Mr. [Name]
2	Mr. [Name]
3	Mr. [Name]
4	Mr. [Name]
5	Mr. [Name]
6	Mr. [Name]
7	Mr. [Name]
8	Mr. [Name]
9	Mr. [Name]
10	Mr. [Name]
11	Mr. [Name]
12	Mr. [Name]
13	Mr. [Name]
14	Mr. [Name]
15	Mr. [Name]
16	Mr. [Name]
17	Mr. [Name]
18	Mr. [Name]
19	Mr. [Name]
20	Mr. [Name]
21	Mr. [Name]
22	Mr. [Name]
23	Mr. [Name]
24	Mr. [Name]
25	Mr. [Name]

Page 4	
1	Mr. [Name]
2	Mr. [Name]
3	Mr. [Name]
4	Mr. [Name]
5	Mr. [Name]
6	Mr. [Name]
7	Mr. [Name]
8	Mr. [Name]
9	Mr. [Name]
10	Mr. [Name]
11	Mr. [Name]
12	Mr. [Name]
13	Mr. [Name]
14	Mr. [Name]
15	Mr. [Name]
16	Mr. [Name]
17	Mr. [Name]
18	Mr. [Name]
19	Mr. [Name]
20	Mr. [Name]
21	Mr. [Name]
22	Mr. [Name]
23	Mr. [Name]
24	Mr. [Name]
25	Mr. [Name]

Page 5

1 agenda, then Number 4 is "Approval of the Minutes."

2 That's everything that's on the agenda to review the minutes?

3 Any questions or comments on the minutes of the last

4 meeting?

5 Chair would entertain a motion, inviting for

6 comments or questions, to approve the minutes

7 MR. HARTON: So moved.

8 MR. KINCH: Second.

9 MR. PATRICK: We have a motion and a second

10 Call the roll, please.

11 MR. FIELDS: Mr. Ames?

12 MR. ALLEN: Yes.

13 MR. FIELDS: Mr. Harrison?

14 MR. HARTON: Yes.

15 MR. FIELDS: Mr. Latham?

16 DR. PERRELL: Yes.

17 MR. FIELDS: Mr. Hunsley?

18 MR. HUNTER: Yes.

19 MR. FIELDS: Mr. Kinder?

20 MR. KINCH: Yes.

21 MR. FIELDS: Mr. Kindrick?

22 MR. KINSHICK: Yes.

23 MR. FIELDS: Mr. Lowry?

24 MR. LOWRY: Yes.

25 MR. FIELDS: Mr. Mason?

Page 6

1 MR. MASON: Yes.

2 MR. FIELDS: Mr. Munson?

3 MR. MURKIN: Yes.

4 MR. FIELDS: Mr. Schiller?

5 MR. SCHILLER: Yes.

6 MR. FIELDS: Mr. Tatum?

7 MR. TATUM: Absent.

8 MR. FIELDS: Mr. Paquet?

9 MR. PAQUET: Yes.

10 MR. FIELDS: Motion passed.

11 MR. PATRICK: Next item on the agenda is

12 "Executive Session." "Executive Session" on the agenda

13 states there will be a "discussion of employment,

14 hiring, appointment and/or resignation of the

15 executive director." So we will be going into

16 Executive Session, but let me just state at this

17 point, that this should not be a closed session.

18 I would appreciate being able to hear any of the

19 issues that are being discussed. But first let

20 me discuss the issue of the executive director. But first let

21 me discuss the issue of the executive director. But first let

22 me discuss the issue of the executive director. But first let

23 me discuss the issue of the executive director. But first let

24 me discuss the issue of the executive director. But first let

25 me discuss the issue of the executive director. But first let

Page 7

1 MR. FIELDS: Yes, your job.

2 MR. PATRICK: Yes. We need a motion to go

3 into Executive Session.

4 DR. PERRELL: So moved.

5 MR. KINCH: Second.

6 MR. PATRICK: Motion and a second.

7 MR. FIELDS: Mr. Ames?

8 MR. ALLEN: Yes.

9 MR. FIELDS: Mr. Harrison?

10 MR. HARTON: Yes.

11 MR. FIELDS: Mr. Latham?

12 DR. PERRELL: Yes.

13 MR. FIELDS: Mr. Hunsley?

14 MR. HUNTER: Yes.

15 MR. FIELDS: Mr. Kinder?

16 MR. KINCH: Yes.

17 MR. FIELDS: Mr. Kindrick?

18 MR. KINSHICK: Yes.

19 MR. FIELDS: Mr. Lowry?

20 MR. LOWRY: Yes.

21 MR. FIELDS: Mr. Mason?

22 MR. MASON: Yes.

23 MR. FIELDS: Mr. Munson?

24 MR. MUNSON: Yes.

25 MR. FIELDS: Mr. Schiller?

Page 8

1 MR. SCHILLER: Yes.

2 MR. FIELDS: Mr. Tatum?

3 MR. TATUM: Yes.

4 MR. FIELDS: Mr. Paquet?

5 MR. PAQUET: Yes.

6 MR. FIELDS: Motion passed.

7 MR. PATRICK: So with that, we have to ask

8 all you good people to leave the room for a while

9 and someone will come out and tell us

10 DR. PERRELL: Or we'll just go into this

11 room and close and you can stay where you are

12 MR. PATRICK: The chair is the best to know

13 I was looking out about having to leave you'll leave.

14 All right. We'll go next door.

15 It's executive session from 9:30 A.M. to 10:30 A.M.

16 MR. PATRICK: All right. The chair would

17 entertain a motion to adjourn the general session

18 MR. HARTON: So moved.

19 MR. KINCH: Second. Jimmy Kinder?

20 MR. PATRICK: We have a motion and a second

21 to adjourn the general session.

22 MR. FIELDS: Mr. Ames?

23 MR. ALLEN: Yes.

24 MR. FIELDS: Mr. Harrison?

25 MR. HARTON: Yes.

Page 9

1 MR. FIELDS: On the order?

2 DR. FERRELL: Yes.

3 MR. FIELDS: Mr. Hershkov?

4 MR. HERSHKOV: Yes.

5 MR. FIELDS: Mr. Kinsler?

6 MR. KINSLER: Yes.

7 MR. FIELDS: Mr. Kunderick?

8 MR. KUNDERICK: Yes.

9 MR. FIELDS: Mr. Lowry?

10 MR. LOWRY: Yes.

11 MR. FIELDS: Mr. Mason?

12 MR. MASON: Yes.

13 MR. FIELDS: Mr. Mulvihill?

14 MR. MULVIHILL: Yes.

15 MR. FIELDS: Mr. Schultze?

16 MR. SCHULTZE: Yes.

17 MR. FIELDS: Mr. Talmadge?

18 MR. TALMADGE: Yes.

19 MR. FIELDS: Mr. Packer?

20 MR. PACKER: Yes.

21 MR. FIELDS: Motion passed.

22 MR. PACKER: All right. Back in general

23 session -- to me -- before we went into Executive

24 Session, we made the announcement in a short

25 conversation that Staff Directorship had retired and

Page 10

1 that we were considering the position of executive

2 director in summer 1961. So just briefly, there's

3 been a real deliberate process for the last three

4 years at the Department of Environmental Quality,

5 and about three years ago, maybe four, the governor

6 made the comment that he thought that environmental

7 planning in state agencies was a good idea, and we

8 certainly agreed, and soon Thompson went that way

9 seriously, and over a period of three years made

10 some staff changes to demonstrate that should be

11 have agencies for his department seriously.

12 So we've been going through that process

13 for the last few months, and if anyone else wants to

14 comment after our next agenda item, I'll let them do

15 that. So we've been in Executive Session discussing

16 that and how we would deal with that. As with that,

17 we did meet, and we did discuss the employment and

18 hiring of a new executive director for the

19 Department of Environmental Quality. Having said

20 that, the State would retain a further established

21 an executive director hired for \$100,000.

22 DR. FERRELL: Mr. Chairman, I move that we

23 appoint Robert Tompkins as the new executive

24 director of the Department of Environmental Quality

25 at a salary of \$100,000 per year.

Page 11

1 MR. PACKER: There's a motion, a second.

2 Any discussion?

3 DR. FERRELL: Not a second.

4 MR. PACKER: Not a second. There's a

5 motion, I'm sorry.

6 MR. KUNDERICK: Second.

7 MR. PACKER: Now there's a second. We have

8 a motion and a second. Is there any discussion, any

9 comments by any board members? Nobody? Having

10 done, we have a motion and a second to hire Bob

11 Tompkins as Executive Director of the Department

12 of Environmental Quality at a salary of \$100,000.

13 Take the vote on, please.

14 MR. FIELDS: Mr. Ames?

15 MR. AMES: Yes.

16 MR. FIELDS: Mr. Barkus?

17 MR. BARKUS: Yes.

18 MR. FIELDS: Dr. Ferrell?

19 DR. FERRELL: Yes.

20 MR. FIELDS: Mr. Hershkov?

21 MR. HERSHKOV: Yes.

22 MR. FIELDS: Mr. Kinsler?

23 MR. KINSLER: Yes.

24 MR. FIELDS: Mr. Kunderick?

25 MR. KUNDERICK: Yes.

Page 12

1 MR. FIELDS: Mr. Lowry?

2 MR. LOWRY: Yes.

3 MR. FIELDS: Mr. Mason?

4 MR. MASON: Yes.

5 MR. FIELDS: Mr. Mulvihill?

6 MR. MULVIHILL: Yes.

7 MR. FIELDS: Mr. Schultze?

8 MR. SCHULTZE: Yes.

9 MR. FIELDS: Mr. Talmadge?

10 MR. TALMADGE: Yes.

11 MR. FIELDS: Mr. Packer?

12 MR. PACKER: Yes.

13 MR. FIELDS: Motion passed.

14 MR. PACKER: All right. Thank you.

15 Congratulations.

16 MR. CHANCEFARY: Thank you, sir.

17 MR. PACKER: Bob, any brief comments,

18 "brief" being the operative word there?

19 MR. CHANCEFARY: Again, I'm very

20 indebted by the fact that the Board has put in Mr.

21 and I'm super grateful and honored to help lead

22 these folks and this agency. I'm very indebted to do

23 it. Thank you very much.

24 MR. PACKER: You're welcome. I'm in the

25 small agenda. That's all, Mr. Chairman.

Page 14

1 MR. FERRER: Yes.

2 MR. PAQUET: Addressing OAC 212.110.01

3 Pollution Control.

4 MR. LEWIS: Mr. Chairman and members of

5 the Board.

6 MR. PAQUET: If you'll introduce yourself

7 so that everyone -- we all know who you are, but --

8 MR. LEWIS: Yes.

9 MR. PAQUET: -- yes.

10 MS. LEWIS: I was going to say yes. I am

11 Laura Lewis with the Air Quality Council -- (Interim)

12 of the Air Quality Council.

13 MR. PAQUET: Okay.

14 MS. LEWIS: We did an emergency rulemaking

15 as a special meeting in April, and that is what we

16 are bringing to the Board today, and that is for

17 Chapter 200 of the Pollution Control, Subchapter 7,

18 Permits for Minor Facilities. The Department is

19 proposing to amend the Permit By Rule in OAC

20 212.110-2.010, all and natural gas boilers, in

21 response to the U.S. Environmental Protection

22 Agency's recently promulgated requirements in 40

23 C.F.R. Part 63, Subpart CCCCCC Standards of

24 Performance for Certain Oil and Natural Gas Facilities

25 for which construction, modification or

Page 15

1 construction commenced after December 31st of 2022.

2 The proposed amendment would allow the use

3 of legally and practically enforceable limits, PEL,

4 when determining a facility's eligibility for this

5 rule. The gist of the proposed rule is to clarify

6 which applicability criteria for the PBR and ensure

7 that the current PBR allows facilities potentially

8 subject to NPDES Subpart CCCCCC to take EPA action to

9 avoid applicability of the federal requirements to

10 tank batteries. This rule change is proposed as an

11 emergency rule to shorten the time period between

12 when NPDES Subpart CCCCCC becomes effective in May 2025

13 and when the regulatory conformity rule takes advantage

14 of this rule for tank batteries.

15 Notice of the proposed rule change was

16 published in the Oklahoma Register on March 15th of

17 2024. The Department received written comments from

18 four groups with the Petroleum Alliance, by e-mail

19 and made a public comment on on April 24, 2024, Air

20 Quality Advisory Council meeting. A Response to

21 Comments document is included in the Board packet.

22 The Council unanimously approved the proposal as its

23 next step.

24 As Chair of the Air Quality Advisory

25 Council, I recommend that the Board adopt the

Page 16

1 proposed changes to Chapter 200, Subchapter 7 as

2 emergency rules.

3 MR. PAQUET: Thank you. Any discussion

4 from any board member? Any questions? Questions?

5 No, questions?

6 MR. KIRKPATRICK: No comment.

7 MR. PAQUET: The Chair would entertain a

8 motion. I'm sorry.

9 MS. LEWIS: There's questions from the

10 public.

11 MR. PAQUET: Sorry?

12 MS. LEWIS: There's questions from the

13 public.

14 MR. PAQUET: Oh, yes. I'm sorry. Yes. Is

15 there any member of the public that wishes to

16 comment? Excuse me. Sorry, the chair would

17 entertain a motion.

18 MR. KIRKPATRICK: Move to accept. Sorry.

19 Motion.

20 OK. FERRER: Second. Passed.

21 MS. FIELDS: Mr. Aquet?

22 MR. AQUET: Yes.

23 MS. FIELDS: Mr. Hartman?

24 MR. HARTMAN: Yes.

25 MS. FIELDS: Dr. Fennell?

Page 16

1 OK. FERRER: Yes.

2 MS. FIELDS: Mr. Hargrave?

3 MR. HARGRAVE: Yes.

4 MS. FIELDS: Mr. Kinner?

5 MR. KINNER: Yes.

6 MS. FIELDS: Ms. Kirkpatrick?

7 MR. KIRKPATRICK: Yes.

8 MS. FIELDS: Ms. Lewis?

9 MR. LEWIS: Yes.

10 MS. FIELDS: Mr. Maynor?

11 MR. MAYNOR: Yes.

12 MS. FIELDS: Mr. Munson?

13 MR. MUNSON: Yes.

14 MS. FIELDS: Mr. Schuler?

15 MR. SCHULER: Yes.

16 MS. FIELDS: Mr. Tatum?

17 MR. TATUM: Yes.

18 MS. FIELDS: Mr. Paquet?

19 MR. PAQUET: Yes.

20 MS. FIELDS: Motion passed.

21 MR. PAQUET: Motion passed.

22 MR. FERRER: Thank you.

23 MR. PAQUET: The next item -- thank you.

24 The next item on the agenda, OAC 212.110.100 Air

25 Regulations.

1 MR. DUBAN: Thank you, sir. My question is
2 Brian Duban. I am the Chairman of the Water Quality
3 Management Advisory Council, and I will be
4 presenting three chapters of rules from the Council
5 for the Board today.

6 I'd like to welcome the new members and
7 just don't want to get your hopes up. We don't get
8 to talk about his stuff every time. So, you know,
9 this is a really easy through this is really just
10 administrative stuff.

11 Please note that prior to bringing these
12 rules before you today, the DEQ staff held two
13 informal public meetings. One was conducted on
14 March 21st here at the DEQ with 17 attendees, and
15 the second one was conducted on March 28th at the
16 Upper Highgate Water Treatment Plant with 16
17 attendees. Additionally, DEQ staff discussed the
18 proposed rulemaking at the January 31st, 2024, and
19 the April 10th, 2024, WQMAC meetings where these
20 rules were unanimously recommended to the Board by
21 the Council.

22 For background information, there are
23 changes within Subchapter 1, 3, 4, 7, and 9 of this
24 rule and to clarify the chapter name to "State of
25 Connecticut Laboratory Accreditation" to be more

1 description of the program. In Subchapter 1, the
2 number of goals of accreditation is reduced from 3
3 to 2, "drinking water" and "general environmental."
4 No new fees were included, but changes to simplify
5 the calculation of the application and renewal fees
6 are included.

7 Finally, the accreditation period is
8 changed from September to August to the calendar
9 year cycle of January to December, proposed for all
10 of the accreditation rules.

11 In Subchapter 3, the date for submitting
12 renewal application materials and preliminary
13 testing requests is changed from September 15th to
14 July 1st to ease the -- to -- is changed to
15 September 15th from July 1st, and the requirement
16 for submitting fees with an application is removed.
17 The date for payment is December 15th, which will
18 reduce insurance premiums, in cases timely
19 processing, and timely issuing letters of
20 accreditation.

21 In Subchapter 4, the only acceptable
22 assessment for all of these assessments must be
23 nationally accredited from a 7th governmental body.
24 All site assessments are to be reduced from once
25 every two years to three years to better align with

1 PFA drinking water laboratory program

2 In Subchapter 7, originally for preliminary
3 testing requests to be reduced while not changing
4 specific requirements.

5 In Subchapter 9, originally an organization by
6 reference for PFA methods, organics for drinking water
7 regulations, evaluating solid waste, and analysis of
8 polluted precipitation is updated.

9 In conclusion, the WQMAC recommended this
10 rule to the DEQ for unanimous vote. If you have
11 questions, I or the staff will be happy to answer.

12 MR. DELOVE: Thank you, Brian. Any
13 questions of Brian from any board members? Any
14 comments? Any member of the public wish to make a
15 comment? Hearing none, seeing none, this bill would
16 entertain a motion.

17 MR. BARTON: Motion. Move we accept.

18 MR. PACE: We have a question.

19 MR. PACE: Coming from?

20 MR. BARTON: Motion and a second.

21 MR. PACE: Mr. Barton?

22 MR. BARTON: Yes.

23 MR. PACE: Mr. Barton?

24 MR. BARTON: Yes.

25 MR. PACE: (In French?)

1 MR. PACE: Yes.

2 MR. PACE: Mr. Barton?

3 MR. BARTON: Yes.

4 MR. PACE: Mr. Barton?

5 MR. BARTON: Yes.

6 MR. PACE: Mr. Barton?

7 MR. BARTON: Yes.

8 MR. PACE: Mr. Barton?

9 MR. BARTON: Yes.

10 MR. PACE: Mr. Barton?

11 MR. BARTON: Yes.

12 MR. PACE: Mr. Barton?

13 MR. BARTON: Yes.

14 MR. PACE: Mr. Barton?

15 MR. BARTON: Yes.

16 MR. PACE: Mr. Barton?

17 MR. BARTON: Yes.

18 MR. PACE: Mr. Barton?

19 MR. BARTON: Yes.

20 MR. PACE: Motion passed.

21 MR. PACE: Thank you. Next item, item

22 Number 10, State of Connecticut Laboratory

23 Accreditation, item?

24 MR. DUBAN: Okay. Again, all the public

25 participating in session for Chapter 301 also

Page 21

1 applies here. For permanent membership, there are
 2 changes within subchapter 1, 3, 5, 7, and 11 of the
 3 rule and to modify the chapter name to "Individual
 4 Membership and At-Large Affiliation" to be more
 5 descriptive of the program.
 6 In subchapter 1, the fee for submitting
 7 the renewal application is removed. No additional
 8 or renewed fees are included. As with Chapter
 9 III, the accreditation period is changed to a
 10 calendar year basis.
 11 In subchapter 3, the requirement to submit
 12 fees with the renewal application materials is
 13 eliminated. The date for submitting the renewal
 14 application materials and proficiency testing
 15 reports is changed to September 1st from June 1st, and
 16 the deadline for issuing payment is
 17 December 1st.
 18 In subchapter 5, which sets an ongoing
 19 requirement to go on-site "evaluation" to an on-site
 20 "assessment," as well as a few additional notes to
 21 make the current text more concise are included.
 22 In subchapter 7, as with subchapter 5,
 23 there are additional clarifying text as well as a
 24 few additional notes to make the current text more
 25 concise.

Page 22

1 In subchapter 9, as with subchapter 11 as
 2 as with Chapter III, incorporations by reference for
 3 other EPA approved methodologies adding flexibility
 4 for both the accreditation program and proposed lab
 5 for regulatory changes is updated.
 6 In conclusion, the WQMAC is recommended this
 7 rule to the EPH by unanimous vote. If you have any
 8 questions, I or the staff will be happy to answer.
 9 MR. HART: Thank you, Brian. Any
 10 questions? Any comments by board members? Any
 11 member of the public who wishes to make a question,
 12 ask a question? Anything more, the chair would
 13 entertain a motion.
 14 MR. MARTIN: Motion moves approval.
 15 MR. HART: Second.
 16 MR. HART: We have a quorum and we are,
 17 I call the roll, please.
 18 MR. HART: Mr. Austin?
 19 MR. ALICE: Yes.
 20 MR. HART: Mr. Barlow?
 21 MR. HART: Yes.
 22 MR. HART: Mr. Carroll?
 23 MR. HART: Yes.
 24 MR. HART: Mr. Conway?
 25 MR. HART: Yes.

Page 23

1 MR. HART: Mr. Kinsler?
 2 MR. HART: Yes.
 3 MR. HART: Mr. Kinsler?
 4 MR. KINSLER: Yes.
 5 MR. HART: Mr. Lowry?
 6 MR. LOWRY: Yes.
 7 MR. HART: Mr. Mason?
 8 MR. MASON: Yes.
 9 MR. HART: Mr. Munson?
 10 MR. MUNSON: Yes.
 11 MR. HART: Mr. Schickel?
 12 MR. SCHICKEL: Yes.
 13 MR. HART: Mr. Taylor?
 14 MR. TAYLOR: Yes.
 15 MR. HART: Mr. Tucker?
 16 MR. TUCKER: Yes.
 17 MR. HART: Motion passed.
 18 MR. HART: Thank you. Next item on the
 19 agenda is Item Number 11, Rulemaking, EPH 242-117
 20 The Laboratory Accreditation Rule.
 21 MR. HART: Okay. This is probably going
 22 to sound real similar again, but this is the 102,
 23 and the public participation discussion earlier for
 24 Chapter 302 also applies here.
 25 For permanent membership, there are

Page 24

1 changes within subchapter 1, 3, 5, 7, 9, and 11 of
 2 the rule and to modify the chapter name to
 3 "National Laboratory Accreditation" to make the
 4 new accreditation program distinguishable from the
 5 other accreditation programs under Chapter III and
 6 102. In subchapter 1, the accreditation period is
 7 changed to the calendar year, January to December.
 8 Additionally, other EPA approved
 9 analytical methods for accreditation including
 10 program flexibility, to simplify for applications,
 11 and to remove fees for past that applications are
 12 included here.
 13 In subchapter 3, the requirement for the
 14 submission of application fees with renewal
 15 application materials is eliminated. In addition, a
 16 date change for submitting renewal application
 17 materials and proficiency testing requirements is
 18 changed to September 1st from June 1st and a
 19 September 1st deadline for issuing payment from
 20 to calendar year basis is added.
 21 In subchapter 5 and 7, there are no
 22 substantial or substantive changes, the only rule
 23 change is these subchapters in removal of the word
 24 "the" before the term "102," which is replaced with
 25 such as "proficiency testing" to the acronym "PI,"

Page 25

1 AND OTHER RESEARCH TO-DATE ARE
2 In such happenings, a new section to provide
3 guidance to both sides is "NEUTRAL/NOT RECOGNIZED"
4 preliminary case analysis is now available for a
5 particular analysis in studies for which the late weeks
6 of analysis are needed. Other non-quantitative
7 changes in this subchapter cover typographical and
8 punctuation changes, including the addition of
9 these amendments for Subchapters 5 and 7
10 In such cases, the WQMA recommended this
11 type of the highly representative work. If you have any
12 questions, I or the staff will be happy to answer.
13 MR. PAQUET: Would you change that to
14 again, Brian?
15 MR. CHAZAN: Uh-ho, the book -- oh.
16 MR. PAQUET: Any questions or comments at
17 Brian? Any member of the public have a comment or a
18 question? Please raise, please raise, right for a
19 vote
20 MR. ALLEN: Make a motion to accept
21 MR. PAQUET: A motion.
22 MR. BARTON: Second.
23 MR. CHAZAN: Give a motion from above.
24 MR. PAQUET: Yeah, a motion.
25 MR. TATUM: And a second from below.

Page 26

1 MR. PAQUET: And a second. Now, Brian call
2 him roll
3 MR. TILLEY: Mr. Allen?
4 MR. ALLEN: Yes.
5 MR. TILLEY: Mr. Barton?
6 MR. BARTON: Yes.
7 MR. FIELDS: Dr. Lattrell?
8 DR. LATTRELL: Yes.
9 MR. FIELDS: Mr. Hinchey?
10 MR. HINCHERY: Yes.
11 MR. FIELDS: Mr. Kinchick?
12 MR. KINCHICK: Yes.
13 MR. FIELDS: Mr. Kunkler?
14 MR. KINCHICK: Yes.
15 MR. TILLEY: Mr. Lowry?
16 MR. LOWRY: Yes.
17 MR. TILLEY: Mr. Massey?
18 MR. MASSEY: Yes.
19 MR. FIELDS: Mr. Munson?
20 MR. MUNSON: Yes.
21 MR. FIELDS: Mr. Schulze?
22 MR. SCHULZE: Yes.
23 MR. TILLEY: Mr. Tatum?
24 MR. TATUM: Yes.
25 MR. TILLEY: Mr. Paquet?

Page 27

1 MR. PAQUET: Yes.
2 MR. TILLEY: Motion passed.
3 MR. PAQUET: I just want to make a statement
4 that is given before us here. Thank Brian and I hope,
5 I'm sure the rest of the board agrees with me. We
6 would be lost without them -- without the difference
7 minutes, the Water Council and the Air Council
8 in the Water Council for 12 years, that I talked to
9 Brian today for a long time regarding [unclear] on
10 that council. We appreciate that and thank. Thank
11 you both again.
12 MR. CHAZAN: They just let me talk a bit
13 MR. PAQUET: All right. Item Number 12,
14 the "Executive Committee's Report." Mr. Executive
15 Brian call.
16 MR. TILLEY: Thank you, Mr. Chairman,
17 we'll try to keep this fairly brief. I'll start
18 off with a legislative session update. As you
19 recall, we had two regional bills that we brought
20 to you all back in the fall. There was what the
21 vehicle bill is still up against the state
22 and was a PEAK-related bill. We did not get anything
23 anywhere for both of those. One of them didn't
24 completely through the process. The vehicle bill,
25 again, that was to allow us to own the vehicle that

Page 28

1 would allow us to put the vehicle into that lot
2 indicated that they weren't going to be buying those
3 type of vehicles and they supported us going to the
4 legislature and seeking permission to do that. It
5 made it through the process. It didn't go to the
6 governor's desk, but the governor decided to veto
7 that one. Instead of us purchasing it, he decided
8 essentially didn't go to actually purchase the vehicle
9 and leave it to us. So we're working with that.
10 Right now, the vehicle bill is still. We got the
11 veto in that we need
12 normally, the PEAK bill, this year, after a
13 lot of negotiations, ended up with very little
14 opposition. In fact, you had a lot of support for
15 it. It was making it through the process and kind
16 of got held up with a budget, the budget deal, and
17 didn't have a chance to go all the way to the governor.
18 Once the budget issues were resolved, things started
19 moving again, but there's, you know, hundreds of
20 bills in that backlog and it didn't make it through
21 the process. Essentially we ran out of time. So
22 we'll give it another shot next year, but we did
23 succeed in providing a lot of awareness related to
24 PEAK. So, again, we consider that to be somewhat of
25 a success right as well.

Page 29

1 As for the budget itself, we requested
2 some new bills, and we received four new bills fully
3 funded by the legislature, two of those for our
4 Water Quality Initiative program, one for E&E, and
5 one for the water conservation bill, and then kind
6 of separately, in our budget, we also received
7 16 million dollars for the Lake Survey project,
8 20 million for the City of Lawrence's water project,
9 and one million dollars for a study of the Blue
10 River. Those are things that wouldn't typically
11 come to E&E, but I think it shows the legislature's
12 confidence in how we conduct ourselves here, and so
13 that money was put over our budget, not also the way
14 doing with the budget, I guess, to we did receive
15 16 million dollars for a new garage, and I talk
16 about that budget. It's under it through the
17 legislative process. It's waiting for the
18 governor's signature. It hasn't been signed yet.
19 We anticipate that it will be, but that is all kind
20 of something for that signature. But again, we did
21 get 16 million dollars for a new garage. This has
22 been a long time. I let of your back. It's involved
23 with going the long design or go. We were very
24 excited about that.

1 I want to kind of summarize them to the

Page 30

1 parking garage itself. We've already awarded
2 contracts to begin for construction management and
3 to bid for architecture and engineering services.
4 The agreement that demolition at this point is going
5 to commence in November of this year. There's a lot
6 of groundwork that's got to be laid, but awarded
7 everything goes in starting in October, we'll start
8 demolitions at that point for demolition and then
9 immediately kind of roll into construction. We
10 anticipate that taking a year and a half or so kind
11 of to full completion. So sometime in 2026, we'll
12 have a fully functional garage. We're working with
13 things who happened to. They've built a bunch of
14 the parking structures here downtown, so kind of use
15 their connections to possibly find some additional
16 parking spaces close to the building. If we're
17 unable to find a sufficient amount for our staff,
18 then we will be ready to move to some additional
19 interviewing during that period. So we'll have to
20 wait and see how it turns out of a dynamic
21 situation, the availability of those spots, but we
22 are working that situation.

23 Next I wanted to mention the Oklahoma
24 cyber security and, to the National Security
25 Advisor in the White House along with the EPA

Page 31

1 Administrator and letters to all the governors in
2 which states he visited. Regarding that letter
3 is a cyber security plan for water and wastewater
4 facilities. He's asked for that for the Oklahoma DNR
5 mostly. It's working with the Secretary of Energy &
6 Environmental Affairs with the State Chief
7 Information Security Officer, CISO, the
8 Oklahoma State Security Agency, the Oklahoma State
9 Emergency Management, and our State Homeland
10 Security. We did that together a while back. We
11 returned back in May 2023, and we got an email back
12 about we need the total state to include such as
13 the not just water but another one
14 that thing with the FBI, EPA, DHS, and
15 the Climate Pollution Reduction Grant program. That
16 is a federal-state-state-state (federal letters of
17 letters out on the states as grants or different
18 projects. Oklahoma, Oklahoma, the State Chief of
19 Energy & Environment's Office, and EPC applied for
20 just over 100 million dollars for projects within
21 the state, and then we also signed on to four
22 different projects with other states including
23 Colorado, Texas, Arkansas, Louisiana, and several
24 others as well for projects that kind of go across
25 state lines, and that would amount for about

Page 32

1 another 200 million dollars coming into Oklahoma if
2 that's awarded. We have no idea if any is going to
3 be awarded to Oklahoma or if the entire thing is
4 going to be awarded. We anticipate a decision by
5 EPA sometime in July. Obviously if that happens,
6 there's going to be a lot of work to be done at the
7 agency. We're going to ramp up pretty quick to help
8 implement that program. We'll be ready for that,
9 Next up is EPA's regulatory matters
10 this in the first few months of this year, EPA
11 finalized 24 new regulations. The programs, those
12 are highly regulated, which is pretty unprecedented.
13 It's going to be tens of thousands of federal
14 regulations, if not hundreds of thousands of pages,
15 They're going to have a pretty significant impact on
16 all of our Oklahoma. The rules come from
17 everything from E&E to EPA's all the way to a new
18 higher 102.5 Annual Ambient Air Quality Standard,
19 which is much more stringent regulation on
20 emissions here in the state of Oklahoma. Actually
21 I asked Markus Miller to put together a list of
22 some of the major actions that EPA has taken and
23 give me more details, and I was going to share those
24 with you, but honestly the list is way too long, but
25 we do have that put together if you're interested

1 We're happy to share that the summit with the A-100
2 I want to talk about the A-100's activities
3 I mentioned the A-100's bill. The summit
4 that was that day for us was a very big day for us
5 Then. He actually has been really interested in the A-100
6 to talk about the bill and the political situation with the
7 interest in an A-100 summit at the capital back in
8 May 2010. He brought in the bill. He brought in
9 a very important piece of legislation. The
10 Congressional Commission was there. The secretary of
11 Defense & the A-100's bill. The bill was really important.
12 The congressional bill, the power industry, various
13 industry organizations related to the bill
14 organizations, property in the power industry. Some
15 brought in industry organizations to see if there
16 would be a meeting separately for the power industry.
17 So we brought in a joint big group to talk about
18 it. Obviously the big focus was on the bill.
19 being a bill, some other organizations in the industry. We
20 considered that there had a lot of way to develop it
21 so that the congressional bill would be a good one
22 an industrial organization near the industry. So we wanted
23 to support the industrial bill that. So
24 obviously if something like that happened, it would
25 be very good down the road. And it is great that

1 we're at least getting some interest at the
2 minister on the issue of the A-100. Right? So that
3 awareness program
4 MR. TUCKER: The summit again
5 MR. TUCKER: The summit again
6 MR. TUCKER: Right.
7 MR. TUCKER: Right. Right. Right. Right.
8 The A-100's activities, we did a lot of work and and
9 met with the Agency and the A-100's bill. We met
10 with the Agency and the A-100's bill. We met
11 we could work together to the A-100's bill. We met
12 a lot of the agency. We met with the A-100's bill. We met
13 with the Agency and the A-100's bill. We met
14 with the Agency and the A-100's bill. We met
15 with the Agency and the A-100's bill. We met
16 with the Agency and the A-100's bill. We met
17 with the Agency and the A-100's bill. We met
18 great meetings
19 Tomorrow we've got an A-100's meeting
20 planned here in the room. The A-100's bill. We met
21 with the Agency and the A-100's bill. We met
22 with the Agency and the A-100's bill. We met
23 with the Agency and the A-100's bill. We met
24 with the Agency and the A-100's bill. We met
25 with the Agency and the A-100's bill. We met

1 I want to talk about the A-100's activities
2 I mentioned the A-100's bill. The summit
3 that was that day for us was a very big day for us
4 Then. He actually has been really interested in the A-100
5 to talk about the bill and the political situation with the
6 interest in an A-100 summit at the capital back in
7 May 2010. He brought in the bill. He brought in
8 a very important piece of legislation. The
9 Congressional Commission was there. The secretary of
10 Defense & the A-100's bill. The bill was really important.
11 The congressional bill, the power industry, various
12 industry organizations related to the bill
13 organizations, property in the power industry. Some
14 brought in industry organizations to see if there
15 would be a meeting separately for the power industry.
16 So we brought in a joint big group to talk about
17 it. Obviously the big focus was on the bill.
18 being a bill, some other organizations in the industry. We
19 considered that there had a lot of way to develop it
20 so that the congressional bill would be a good one
21 an industrial organization near the industry. So we wanted
22 to support the industrial bill that. So
23 obviously if something like that happened, it would
24 be very good down the road. And it is great that

1 obviously the A-100. So we're like the A-100 people to
2 support the A-100's activities. We want to make
3 a lot of the A-100's activities. We want to make
4 a lot of the A-100's activities. We want to make
5 a lot of the A-100's activities. We want to make
6 a lot of the A-100's activities. We want to make
7 a lot of the A-100's activities. We want to make
8 a lot of the A-100's activities. We want to make
9 a lot of the A-100's activities. We want to make
10 a lot of the A-100's activities. We want to make
11 a lot of the A-100's activities. We want to make
12 a lot of the A-100's activities. We want to make
13 a lot of the A-100's activities. We want to make
14 a lot of the A-100's activities. We want to make
15 a lot of the A-100's activities. We want to make
16 a lot of the A-100's activities. We want to make
17 a lot of the A-100's activities. We want to make
18 a lot of the A-100's activities. We want to make
19 a lot of the A-100's activities. We want to make
20 a lot of the A-100's activities. We want to make
21 a lot of the A-100's activities. We want to make
22 a lot of the A-100's activities. We want to make
23 a lot of the A-100's activities. We want to make
24 a lot of the A-100's activities. We want to make
25 a lot of the A-100's activities. We want to make

Page 39

1 a video which is placed. They really work it over
2 into small little segments that are easily
3 digestible, especially for members of the public.
4 that don't have much understanding of what PCAC is.
5 and, you know, we don't want people to look out
6 and go, "We were there in the interest, so they're
7 doing a great job of kind of getting that
8 information out there. That's like it's not terrible
9 for it. We've got the various organizations, PCAC,
10 the Goshing Water Association. They're both
11 looking to get things and going to programs as
12 well. It's kind of been a very successful project,
13 but there's still a little bit more to go to the
14 middle of that year.

15 I think wanted to mention for October
16 a number of programs. The board committee may not be
17 aware, but the Goshing Water Association, we've got the
18 board in that district in October that's about 400
19 they're the main responsible for all the water and
20 wastewater issues that are faced in the state of
21 Washington. They process thousands of permits each
22 every year, 1,000 water supply issues, 400 emergency
23 permit applications, 8,000 permits, and they also
24 water licensing issues by hand for about 1,200
25 applications each year. That's how they're able to do it.

Page 40

1 one aspect of that is that we've got a lot of
2 as long hours and hard work. So I wanted to give
3 Kelly a shout-out. I also wanted to mention that
4 Kelly in our Washington Improvement Office is going
5 to be working with those folks. There's going to be
6 our main main project for the agency to help kind of
7 learn that there are some, help them help the public
8 find the ways that we can go to help people with
9 have some good things to report from that in the
10 upcoming year.

11 The last thing I wanted to mention, our
12 Administrative Services Division who doesn't get a
13 whole lot of attention, but it's like the old, you know
14 years ago the legislature assigned the responsibility
15 of water expenses. If there's anything, I think
16 increased purchasing items. I don't know, you
17 think that's increased. There are thousands
18 that are involved with you have to go through the
19 DM's process, right? We can go through our own
20 process for those purchases under those
21 standards, and that was the only agency that was
22 approved for the maximum amount, which is \$250,000
23 We had to go through a certification and it's kind
24 of a audit, which we did. We passed both of those. One
25 of the other requirements are we have to have 100%

Page 39

1 which are certified independent officers, certified
2 at a level 2 agency, which we've got four folks who
3 work in our procurement office, and as of just
4 recently, all five of them have now been designated
5 as level 2 certified, so we wanted to stand out as
6 another to them, Kelly, I think. Jan, Bob, Val, Ray
7 Williams, Ben Tawell, and Richard Poon are the five
8 I know several that are in the much right now. For
9 we're proud of them and some accomplishments and
10 the whole group, that too, you know, the legislature
11 and that the WMR have that confidence in their
12 abilities to do it the right way, so that's a
13 shout-out to Kelly, and that's the end of my report.
14 MR. BAUGH: Okay, thank you.

15 I agree with it, Kelly, and I agree with you regarding
16 the staff. I appreciate that. Turn my microphone
17 on. The next item on the agenda is Item Number 17,
18 "Update and Financial Overview." Kelly Anderson.
19 MR. ANDERSON: Thank you, Mr. Chairman,
20 members of the board. Kelly Anderson, the chief
21 financial officer and the director of Administration
22 services. I'm going to go over the financial
23 overview. As of April 30th, we have collected over
24 10 million dollars in our revenues. Overall, we look
25 pretty good. One thing, the tax is kind of --

Page 40

1 their revenue is declining, so we're going through
2 revenues for our year's budget trying to find some
3 savings and reduction with expenditures, so on that
4 side. They did collect, I just looked for May,
5 \$120,000. That's a little bit better, and then
6 that's a little on behind, but we're looking at
7 them. They collected 1.2 in May. So their revenues
8 are catching up. It's just a little bit lagging
9 when compared to previous years.

10 If we look at FY24 expenditures through
11 April 30th, we've expended a little over 10 million
12 of our budget. We have 1.1 million left in
13 expenditures that will pay out the rest of the
14 month, just the end of the year as revenues start
15 rolling in. We got a little behind on some projects
16 because WMR had some staff shortages on the
17 construction side, but that seemed to be resolved.
18 We work with them to get the backlog, but it's just
19 kind of showing up a little bit on their
20 expenditures, but all this will roll over into next
21 year. It looks like things are progressing pretty
22 good. Don't have any concerns at this time.

23 We have expended about half of the budget
24 funds, and that's about where a good portion of our
25 projects are. Do we have any questions on revenues

1 Mr. Appleton/Brown?

2 MR. MAJORS: I have a question.

3 MR. APPLETON: Yes.

4 MR. MAJORS: Let's go back to the last.

5 MR. APPLETON: The last.

6 MR. MAJORS: Acknowledging that the board doesn't
7 designated, why is revenue down and what's your plan
8 financially?

9 MR. APPLETON: Well, do you want to talk?

10 MR. FRANKLIN: In the last Franklin, the
11 director of the laboratory that's kind of a
12 complicated question. We have been involved with
13 some very strong parties, and one kind of thing
14 actually has gone up to -- it's present in the last
15 two years, trying to compensate for that. Quite
16 frankly, we've had some business. We went through
17 a lot of turnover for the last three years. Last
18 year, we've had a lot of some testing that we
19 have traditionally done fairly, and as a result,
20 we've lost a customer base there. So it's
21 there's not one thing. We've had some customers,
22 some agencies that promised to do a number of
23 dollars worth of business with us and didn't follow
24 through with that commitment to us. That's one of
25 lot of factors involved in how we got to where we

1 are. I'm pretty confident in discussions with that
2 yesterday. We have some pretty good ideas, I think,
3 to rebuild our customer base, and also what
4 prepared to handle any EPA testing that is going to
5 come down the pipe. We are confident. We're the
6 only left in the state right now guaranteed to do
7 drinking water EPA. So we kind of feel like
8 really opportunities there for us to get more back
9 to the game and raise that revenue. They're just
10 for the time at this point, but we are working to
11 address those.

12 MR. MAJORS: Thank you.

13 MR. FRANKLIN: Any other questions with
14 I'm here?

15 MR. MAJORS: Thanks. Any other questions?

16 MR. FRANKLIN: Thank you.

17 MR. FRANKLIN: The last.

18 MR. MAJORS: Okay. Let's go on to the next
19 14. "Capital Budget Request." This item may require
20 action by the board.

21 MR. APPLETON: Yes. We want to present
22 in our a request for you to present funds for some
23 capital improvements to the building. We -- for
24 those of you who have been on the board for a while,
25 we brought this in front of you probably in 2017 for

1 the building. And so we don't do that every year,
2 but we feel like we have some requirements and some
3 items that need to be taken care of. So we are
4 presenting to you the requested capital budget
5 request. A funding request for planned projects
6 that the submitted by June -- let the board this up
7 early, June 30th of each year for the fiscal year
8 2025. So that wouldn't start until July 1, 2025, if
9 it was approved. That's a long-range planning
10 committee that all of the requests from each of the
11 agencies is presented to them, and then they decide
12 which ones that they were recommended for approval,
13 and it goes to the legislature in the winter.
14 So we recognize that the capital budget for
15 those items for the capital budget request. The
16 that items for the state administrative, for
17 their fiscal and infrastructure requirements and
18 capital, for long term up. They need some
19 consideration to address them in their budgeting, and we
20 recognize that to be about \$20,000. For
21 suppression system. This building has the original
22 fire suppression system. It needs to be updated, so
23 we've asked that. We estimate that to be about
24 \$400,000, and a state administrative building to be replaced
25 at a cost of about \$250,000. We are having any

1 questions on those items?

2 MR. MAJORS: Kathy, I think that building. I
3 had seen a figure of \$400,000 for the suppression
4 system, and I've said it's \$400,000 and not \$400,000, but
5 that was a pretty big difference. So we're going to
6 that building is, but that includes the entire
7 building?

8 MR. APPLETON: Yes, it would be the
9 system that's in the room, but also things from a
10 couple of stories. They have water and they really
11 should have a different. But since they have
12 the items in mind. It's just an estimate of this
13 guess. You guys think you have to replace the whole
14 thing, but our engineers estimated it to be that
15 amount.

16 MR. MAJORS: Okay. Thanks. Any questions
17 for Kathy from anybody? Comments? The chair would
18 establish a motion to approve a request -- I'm
19 sorry. Questions from the public? During time, the
20 chair would establish a motion for approval.

21 MR. FRANKLIN: Move to approve approval
22 the capital budget request as presented.

23 MR. APPLETON: Second.

24 MR. MAJORS: I have a second. I don't
25 have a second.

1 MS. FIELDS: Motion second.
 2 MR. PAQUET: Okay. A motion and a second.
 3 Call the roll, please.
 4 MS. FIELDS: Mr. Auer?
 5 MR. AUER: Yes.
 6 MS. FIELDS: Mr. Barton?
 7 MR. BARTON: Yes.
 8 MS. FIELDS: Dr. Farrell?
 9 DR. FARRELL: Yes.
 10 MS. FIELDS: Mr. Hinchey?
 11 MR. HINCHEY: Yes.
 12 MS. FIELDS: Mr. Kinder?
 13 MR. KINDER: Yes.
 14 MS. FIELDS: Ms. Kendrick?
 15 MS. KENDRICK: Yes.
 16 MS. FIELDS: Ms. Lowry?
 17 MS. LOWRY: Yes.
 18 MS. FIELDS: Mr. Mason?
 19 MR. MASON: Yes.
 20 MS. FIELDS: Mr. Munson?
 21 MR. MUNSON: Yes.
 22 MS. FIELDS: Mr. Schultze?
 23 MR. SCHULTZE: Yes.
 24 MS. FIELDS: Mr. Tatum?
 25 MR. TATUM: Yes.

1 MS. FIELDS: Mr. Paquet?
 2 MR. PAQUET: Yes.
 3 MS. FIELDS: Motion passed.
 4 MR. PAQUET: All right. Thank you. Now
 5 item, item number 14, "New Business." Any matter
 6 not known about, and which could not have been
 7 reasonably foreseen prior to the passing of item
 8 number 14? Is there any new business
 9 to be brought to the board? (During paper, will move
 10 to the
 11 I note that in item number 14, the text
 12 summary of fully assigned resources will be held
 13 September 10th, 2024, in Board, Oklahoma. The next
 14 item is "Administrative." Following administrative, will
 15 have a public forum. Any requests of the public
 16 I'm trying to make up here. Any members of the
 17 board anyone wanted to make comments or requests
 18 the board to have any questions, feel free to raise
 19 forward. In having said that, the chair would
 20 recommend a motion for administrative.
 21 MR. MURKIN: So moved.
 22 MR. KINDER: Second.
 23 MR. PAQUET: Motion and a second for
 24 adjournment. Call the roll.
 25 MS. FIELDS: Mr. Auer?

1 MR. AUER: Yes.
 2 MS. FIELDS: Mr. Barton?
 3 MR. BARTON: Yes.
 4 MS. FIELDS: Dr. Farrell?
 5 DR. FARRELL: Yes.
 6 MS. FIELDS: Mr. Hinchey?
 7 MR. HINCHEY: Yes.
 8 MS. FIELDS: Mr. Kinder?
 9 MR. KINDER: Yes.
 10 MS. FIELDS: Ms. Kendrick?
 11 MS. KENDRICK: 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. Paquet?
 23 MR. PAQUET: Yes.
 24 MS. FIELDS: Motion passed.
 25 MR. PAQUET: Thank you. So we are

1 adjourned. We'll move into the paper forum. I'm
 2 interested in the following. Public input is
 3 valuable to the board and the Department and we
 4 welcome your participation. This forum allows the
 5 public to make suggestions or express concerns about
 6 environmental laws, rules, or orders. However,
 7 comments will not be used in a decision or agenda
 8 case in matter, unless a particular public
 9 suggestion or recommendation goes through the
 10 communication directly to the Department. The board
 11 cannot and does not interfere in these administrative
 12 decisions. We also ask that you not use this forum
 13 for information or publicize comments or policies in
 14 advance.
 15 For some of the nature of the issues that
 16 are appropriate for the forum, you may not receive
 17 an immediate response to your comments. Comments
 18 staff and/or the board generally will send some form
 19 to acknowledge the comments and respond to them. If
 20 you desire to make comments at today's forum but you
 21 did not sign in at the sign-in sheet when you arrived,
 22 to please raise your hand. Is there anyone present
 23 who wants to be part of a comment or any other
 24 have a question for the board? Am I missing any? I
 25 don't hear any. Moving order. We should adjourned.

Page: 49

(MEETING ADJOURNED AT 11:15 A.M.)

Page: 50

CERTIFICATE

STATE OF OKLAHOMA)

COUNTY OF OKLAHOMA)

I, D. Luke Epps, 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 dictated

therein; and that I am not an attorney for nor

relative of any of said parties or otherwise

interested in the result of said action.

IN WITNESS WHEREOF, I have hereunto set my

hand and official seal this 19th day of

June, 2024

D. Luke Epps, CCR, RPR
[501 # 102]



**OKLAHOMA
Environmental
Quality**

**ENVIRONMENTAL QUALITY
BOARD**

Attendance Record

June 11, 2024

Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Sheldon Tatum	EQB	7925 E. 15th Rd Tulsa Ok	580 495-7531
Brian Duran	WQM Ac	Tulsa, OK	
Rob Singleton		DEQ	
Sharon Smith		DEQ	
Kendal Stegmann		DEQ	
Beverly Botchelt-Smith		DEQ	
Skyler		DEQ	
Eric Hatfield		DEQ	
Taryn Hurley	DEQ	707 N. Robinson, OKC, OK;	405-702 1006
Jeff Franklin	DEQ		
Shannon Ferrell	EQB		
Mike Pague	EQB		
Quiana Fitch	DEQ		
Fen Hixson	EQB	13211 S. K. York Ave Bldg 01	
Bud Ground	EFO		
Mark Hildebrand		DEQ	
Kathy Aebischer	DEQ		
Stacy Tucker	DEQ		
Mark Hix	DEQ		
Mark Baert	EQB		
Tim Munson	11		
VICTORIA Tamm	SOE		
Lloyd Hix	DEQ		
Laura Lodes	DEQ		
Madison Miller	DEQ		
Pete Schultze	WM		



**OKLAHOMA
Environmental
Quality**

**ENVIRONMENTAL QUALITY
BOARD**

Attendance Record

June 11, 2024

Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

April Everett

DEQ

Jeff Everett

OGES

everettj@ogec.com

Luke Mills

DEQ

luke.mills@deg.ok.gov

JENNIFER BOYLE

DEQ

jennifer.boyle@deg.ok.gov

Alexie Kindrick

EQB

alexie.kindrick@tetradon.com

Vance Pennington

DEQ

Vance.pennington@deg.ok.gov

Audrey Danielson

DEQ

Audrey

Michelle Wynn

DEQ

Beren Stone

DEQ

Jimmy Kinder

DEQ Board

MELANIE FOSTER

DEQ

Kelly Dixon

DEQ

Jim Wilkins

DEQ

Jennifer Lewis

~~DEQ~~ OAG

Wynne Chan

DEQ

Kyle Huffman

DEQ

Chris Robinson

DEQ

Lee Dawley

DEQ

Debra Hickox

DEQ

Angela Hughes

DEQ

Dan McLean

DEQ

Rebekah Pena

DEQ

Natalia Cota

DEQ



OKLAHOMA
Environmental
Quality

ENVIRONMENTAL QUALITY BOARD

Attendance Record

June 11, 2024

Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Shelby Dye DEQ

Shelby.dye@deg.ok.gov

Clifford Byrd DEQ

Travis Mensik DEQ

travis.mensik@deg.ok.gov

Malcolm Zachariah DEQ

Travis Couch DEQ

Joe Daniel DEQ

Kate Kennedy DEQ

Karen Strick DEQ

Rich Anderson DEQ

Holly Cannon DEQ