

**REGULAR MEETING AGENDA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER QUALITY MANAGEMENT ADVISORY COUNCIL**

*Please silence all cell phones*

A Public Meeting:     October 5, 2021, at 2:00 pm  
                              Department of Environmental Quality

Location:               Multi-Purpose Room, 1<sup>st</sup> Floor  
                              DEQ Building  
                              707 N. Robinson  
                              Oklahoma City, Oklahoma

**1. CALL TO ORDER – Brian Duzan**

**2. ROLL CALL – Quiana Fields**

**3. APPROVAL OF MINUTES FROM THE JANUARY 12, 2021, MEETING**

**4. COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2022**

Discuss and vote on dates, times and locations of the Water Quality Management Advisory Council (“WQMAC”) meetings for the 2022 calendar year. Staff recommends meetings be held at 2:00 p.m. in DEQ’s 1<sup>st</sup> Floor Multi-Purpose Room at DEQ’s Oklahoma City office which is located at 707 N. Robinson, Oklahoma City, OK 73102, unless it is deemed necessary that a virtual council meeting be held. Based on the Environmental Quality Board (“EQB”) schedule and expected rulemaking efforts, staff recommends the following meeting dates and times:

- Tuesday, January 11, 2022, at 2:00 p.m.
- Tuesday, April 19, 2022, at 2:00 p.m.
- Tuesday, July 26, 2022, at 2:00 p.m.
- Tuesday, September 27, 2022, at 2:00 p.m.

**5. DISCUSSION OF RULEMAKING FOR JANUARY 2022 WQMAC MEETING**

**A. OAC 252:301, 302, 305, and 307 - “LABORATORY ACCREDITATION”, “FIELD ACCREDITATION”, “LABORATORY SERVICES” AND “TNI LABORATORY ACCREDITATION”**

At the January 2022 WQMAC meeting, SELSD will present four separate rules packages – one for each of the SELSD programs, for WQMAC review and recommendation. The most significant change will update incorporations by reference (IBR) in Chapter 307 that will now include EPA’s 2019 Clean Water Act Methods Update Rule, and also update the TNI program to address changes in the 2016 TNI standard. Other changes in Chapter 307 are to conform the DEQ rules with the TNI 2016 standard. Changes in Chapters 301 and

302 are minor, made for conformity within the three SELSD accreditation programs. SELSD is proposing to combine Appendix A and Appendix B to Chapter 305 and propose a new fee schedule with revised fees for many SELSD services. SELSD is reviewing its fee schedule to confirm that fees for each service cover but do not exceed actual program costs, and also comparing the DEQ SELSD fee schedule with fees charged in Oklahoma and neighboring states. This is considered a significant rulemaking and since it involves fee revisions, the rulemaking must be recommended by the WQMAC and considered by the EQB while the Oklahoma legislature is in session.

- A. Presentation – Jeff Franklin
- B. Discussion by the Council
- C. Discussion by the Public

**B. OAC 252:606 – “OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS”**

DEQ staff will be proposing to: update the rule concerning the date of incorporation by reference of certain federal regulations from July 1, 2020, to July 19, 2021. The federal regulation updates being incorporated include EPA’s 2019 Clean Water Act Methods Update Rule that became effective July 19, 2021. The rule finalized changes to test procedures required to be used by industries and municipalities when analyzing the chemical, physical, and biological properties of wastewater and other environmental samples for reporting under EPA’s National Pollutant Discharge Elimination System (NDPES) permit program. It is anticipated that these changes will provide increased flexibility for the regulated community in meeting monitoring requirements while improving data quality. In addition, this update to the CWA methods also incorporates technological advances in analytical technology.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public

**C. OAC 252:631 – “PUBLIC WATER SUPPLY OPERATION”**

DEQ staff will be proposing to: update the rule concerning the date of incorporation by reference of certain federal regulations from July 1, 2020, to July 1, 2021. The federal regulation updates being incorporated include EPA finalizing changes to existing regulations to protect the public from lead in plumbing materials used in public water systems or residential or nonresidential facilities providing water for human consumption. The rule changes codify aspects of the Reduction of Lead in Drinking Water Act of 2011 (RLDWA) and the Community Fire Safety Act of 2013 (CFSA). The RLDWA amended section 1417 of the Safe Drinking Water Act (SDWA), which prohibits the use and introduction into commerce of certain plumbing products that are not “lead free.” The RLDWA revised the definition of lead free to lower the allowable maximum lead content of plumbing products and established a statutory method for calculating lead content. EPA also established new requirements for manufacturers or importers that introduce into commerce products that must meet lead free requirements to certify such products as being in compliance with the lead free requirements in Section 1417 of the SDWA, as amended.

EPA expects that these requirements for lead content in plumbing materials used in new installations and repairs will result in fewer sources of lead in drinking water and, consequently, will reduce adverse health effects associated with exposure to lead in drinking water. The final rule became effective October 1, 2020, and the compliance date for the product certification requirements in 40 CFR 143.19 is September 1, 2023.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public

#### **D. OAC 252:690 – “WATER QUALITY STANDARDS IMPLEMENTATION”**

DEQ staff will be proposing to: update the rule concerning the date of incorporation by reference of certain federal regulations from July 1, 2020, to July 19, 2021. The federal regulation updates being incorporated include EPA’s 2019 Clean Water Act Methods Update Rule that became effective July 19, 2021. The rule finalized changes to test procedures required to be used by industries and municipalities when analyzing the chemical, physical, and biological properties of wastewater and other environmental samples for reporting under EPA’s National Pollutant Discharge Elimination System (NDPES) permit program. It is anticipated that these changes will provide increased flexibility for the regulated community in meeting monitoring requirements while improving data quality. In addition, this update to the CWA methods also incorporates technological advances in analytical technology.

- A. Presentation – Brian Clagg
- B. Discussion by the Council
- C. Discussion by the Public

#### **6. DIRECTOR’S REPORT – Shellie R. Chard**

- SELS Update – Jeff Franklin
- Design Build
- Wastewater Based Epidemiology
- National Updates
- Funding Updates
- Other topics as appropriate

#### **7. NEW BUSINESS**

Only those matters not known about and which could not have been reasonably foreseen at the time of the posting of this agenda shall be discussed at this time.

#### **8. ANNOUNCEMENTS**

Next Scheduled Meeting

#### **9. ADJOURNMENT**

**Should you have a disability and need an accommodation, please notify Brian Clagg of the DEQ three days in advance at (405) 702-8118.**