

**MINUTES
HAZARDOUS WASTE MANAGEMENT ADVISORY COUNCIL
October 24, 2024**

Oklahoma Department of Environmental Quality
Multipurpose Room
Oklahoma City, Oklahoma

Official after Approved by HWMAC
On October 23, 2025 meeting

Notice of Public Meeting - The Hazardous Waste Management Advisory Council (HWMAC) convened for a Regular Meeting at 10:00 a.m. on October 24, 2024. The meeting was held in accordance with the Open Meetings Act, with notice of the meeting given to the Secretary of State on October 31, 2023. The agenda was posted at the DEQ at least twenty-four hours prior to the meeting. Mr. Lee Grater, Chair, called the meeting to order. Ms. Quiana Fields called roll and a quorum was confirmed.

MEMBERS PRESENT

Wesley Anderson
Kinnamon Clark
Matt Cobb
Dale Copeland
Kenneth Ede
Lyndel Gibson
Lee Grater

DEQ STAFF PRESENT

Mike Edwards
Kole Kennedy
Kelly Dixon
Clifton Hoyle
Mike Stickney
Kylen Huffman
Chris Robinson
Lloyd Kirk
Jim Wilkins
Hillary Young
Ryan Kirk
Michelle Wynn
Bruce Adams
Quiana Fields

MEMBERS ABSENT

Terry Vandell

OTHERS PRESENT

Jenny Longley, Court Reporter
Bud Ground, EFO

Director's Report – Ms. Kelly Dixon Division Director of the LPD, provided an update on division activities as well as Mr. Edwards. Also, mentioned was the passing of a Council member, Ray Reaves who served on the HWMAC.

See transcript pages 3 - 9

Budget Presentation – Mr. Mike Stickney of the LPD, gave a presentation on the budget.

See transcript pages 9 - 15

Discussion, Amendment and Roll Call Vote to approve the Minutes from the October 26, 2023 HWMAC meeting – Mr. Grater called for discussion or questions by the Council on the October 26, 2023 minutes. Mr. Grater had two changes to the minutes; page 37 line 3 should read, “half a mile” instead of “half a million miles.” The other change is on page 37 line 11 should read, “picric acid” instead of “nitric acid.” After, stating the changes regarding the minutes Mr. Grater called for a motion to approve the minutes. Mr. Gibson moved to approve and Mr. Cobb made the second.

See transcript pages 15 - 17

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Lee Grater	Yes
Dale Copeland	Yes		

Following the vote, Ms. Kylen Huffman, Environmental Attorney of the LPD, wanted to clarify since the minutes are being amended to state that it is as amended. Mr. Grater then asked for a motion to amend the October 26, 2023 minutes. Mr. Gibson made a motion to amend the minutes and Mr. Anderson made the second.

See transcript pages 17 - 18

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Lee Grater	Yes
Dale Copeland	Yes		

Presentation, Discussion and Roll Call Vote – Mr. Ryan Kirk of the LPD, spoke on the incorporation by reference of federal rule changes from the year that ended June 30, 2024. Hearing questions and comments by the Council, but none by the public, Mr. Grater called for a motion to approve the rule. Mr. Cobb moved to approve and Mr. Anderson made the second.

See transcript pages 18 - 26

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Lee Grater	Yes
Dale Copeland	Yes		

Ms. Huffman wanted to go back to item #5 to clear up confusion on the approval of the October 26, 2023 minutes. On the first vote the minutes were unintentionally approved, then the second vote was addressing the amending of the minutes and now the Council need to vote to approve the minutes as amended. Mr. Grater called for motion to approve the October 26, 2023 minutes. Mr. Clark moved to approve the minutes as amended and Mr. Anderson made the second.

See transcript pages 26 - 30

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Lee Grater	Yes
Dale Copeland	Yes		

Election of Officers for 2025 – Mr. Gibson nominated Dr. Kenneth Ede as Vice-Chair and Mr. Clark made the second.

See transcript pages 30 - 31

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Lee Grater	Yes
Dale Copeland	Yes		

Mr. Anderson made a motion that Mr. Grater remain as Chair and Mr. Cobb made the second.

See transcript pages 31 - 32

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Lee Grater	Yes
Dale Copeland	Yes		

Set Meeting Dates for 2025 – The proposed HWMAC meeting dates for 2025 will be Thursday, July 17 and Thursday, October 23. Mr. Anderson moved to approve and Mr. Clark made the second.

See transcript pages 32 – 34

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Lee Grater	Yes
Dale Copeland	Yes		

New Business – None

Adjournment – Mr. Clark moved to adjourn and Mr. Copeland made the second. The meeting was adjourned at 10:39 a.m.

See transcript page 37 - 38

Wesley Anderson	Yes	Kenneth Ede	Yes
Kinnamon Clark	Yes	Lyndel Gibson	Yes
Matt Cobb	Yes	Lee Grater	Yes
Dale Copeland	Yes		

Transcript and attendance sheet is attached as an official part of these Minutes.

Page 1 1 REGULAR MEETING 2 HAZARDOUS WASTE MANAGEMENT COUNCIL 3 OCTOBER 24, 2024, 10:00 AM 4 5 6 7 MEMBERS PRESENT 8 Lee Grater 9 Dale Copeland 10 Kenneth F. Ede 11 Kinnamon Clark 12 Matt Cobb 13 Wes Anderson 14 Lyndel Gibson 15 16 MEMBERS ABSENT 17 Terry Vandell 18 19 20 21 22 23 24 25 REPORTED BY: Jenny Longley, CSR	Page 3 1 MR. COPELAND: Here. 2 MS. FIELDS: Dr. Ede? 3 DR. EDE: Here. 4 MS. FIELDS: Mr. Gibson? 5 MR. GIBSON: Here. 6 MS. FIELDS: Ms. Vandell is absent. 7 Mr. Grater? 8 CHAIRMAN GRATER: Here. 9 MS. FIELDS: We have a quorum. 10 CHAIRMAN GRATER: The next item on the 11 agenda is the Director's Report, Memoriam, 12 Introductions. Ms. Dixon and then Mr. Edwards. 13 MS. DIXON: Good morning. Is that loud 14 enough for you to hear me? Glad that you guys are 15 all here this morning. I'm going to give you a few 16 updates since the last time we met, sort of a bigger 17 agency perspective, and then I'm going to kick it to 18 Mike to give you some updates that are programmatic 19 in nature. 20 I mean, the first thing I think 21 that's worth talking about is that our Executive 22 Director, Scott Thompson, who was here for I think 23 over 40 years, retired in June, and Rob Singletary 24 took his place as the Executive Director. 25 Madison Miller is the Deputy
Page 2 1 PROCEEDINGS 2 CHAIRMAN GRATER: The October 24, 2024 3 regularly scheduled meeting of the Hazardous Waste 4 Management Advisory Council is called in accordance 5 with the Open Meeting Act. Notice was filed with 6 the Secretary of State on October 31, 2023. The 7 Agenda was duly posted 24 hours prior to the meeting 8 at the DEQ. 9 Only matters appearing on the posted 10 Agenda may be considered at this regular meeting. 11 In the event that this meeting is continued or 12 reconvened, public notice of the date, time, and 13 place of the continued meeting will be given by 14 announcement at this meeting. Only matters 15 appearing on the Agenda of a meeting which is 16 continued may be discussed at the continued or 17 reconvened meeting. 18 Ms. Fields, would you call the roll? 19 MS. FIELDS: Mr. Anderson? 20 MR. ANDERSON: Here. 21 MS. FIELDS: Mr. Clark? 22 MR. CLARK: Here. 23 MS. FIELDS: Mr. Cobb? 24 MR. COBB: Here. 25 MS. FIELDS: Mr. Copeland?	Page 4 1 Director. She used to work here as an attorney and 2 then went into private practice and then came back, 3 so we're happy to have her. 4 Mark Hildebrand, who's also been here 5 many years, has been in the water program for years 6 and then he was in our local office division, he is 7 the Chief of Staff now. So those three sort of are 8 our executive leadership group. 9 Jonathan Allen, I don't know if you 10 guys have heard that name before, he's our Deputy 11 General Counsel, he came from the Department of 12 Mines and he's been awesome. 13 And we've also done some 14 reorganization. Angela Hughes is now in charge of 15 -- I don't think I'm going to have the name correct, 16 it's the Office of Grants and something, but her 17 role is to help put -- help our constituents, 18 whether you're a city or whoever you are, connect 19 with grant opportunities, whether they're grants 20 inside the agency or other federal or state agency 21 grants so we can help people take advantage of those 22 opportunities. 23 And then we also -- this might not be 24 new news, but we have an Office of Continuous 25 Improvement, and the role of that group is to help

Page 5 1 us, as an agency, continue our Lean processes and 2 approve them and our efforts for continuous 3 improvement. That's that on the leadership end. 4 I don't know if you guys are aware, 5 but for several years we've been trying to get the 6 money to replace our parking garage. It's in a 7 state of disrepair, and we've had to close down so 8 many parking spots. Well, the good news is we 9 finally got the money to demo the parking garage and 10 to replace it, and that work is supposed to happen 11 -- the demo's supposed to start next January. 12 So I think everyone's anticipating, 13 depending on the parking situation, what we can 14 figure out for our staff, that we might enhance our 15 telework opportunities for our staff because of 16 availability of parking. So we'll just have to play 17 that by ear and see how that goes. 18 The other good news and something 19 we've talked about here before is this year -- I 20 know it sounds like not a lot, but this year we were 21 able to get a pay increase for our staff of 22 3 percent. Last year we had a 3 percent increase, 23 this year we had a 3 percent increase. 24 So it's not a whole lot, but it's a 25 step in the right direction, so that's good news,	Page 7 1 constituent rule is a precursor to regulating PFAS 2 as a hazardous waste, which that would change a lot 3 of things for this constituency. 4 And then the last one I'm going to 5 talk about is MCLs that are the Safe -- under the 6 Safe Drinking Water Act, there's five MCLs and five 7 PFAS substances that now have MCLs, ranging from 4 8 parts per trillion to 10 parts per trillion, and 9 then there's also an MCL for a mixture of those 10 contaminants that follows a Hazard Index model. 11 So all of those things combined are 12 going to have an impact on what we do and how we do 13 what we do in our cleanup programs. So I just 14 wanted to share that with you, and I mean, stay 15 tuned, there's more coming down the pike on the PFAS 16 regulation. 17 And that's about all I have, and I'm 18 going to turn it to Mike so he can talk about 19 program updates. 20 MR. EDWARDS: Thank you, Kelly. 21 I guess the first thing I wanted to 22 mention - I think you probably know this, but - 23 Colonel Ray Reaves passed away over the summer, on 24 June 12. But he was on the council I believe 25 starting in about 2007, which is approximately the
Page 6 1 and I think that is effective this next pay period 2 for our staff. And it's pay for performance; so you 3 have to have a satisfactory rating on your 4 performance review to be able to get that pay 5 increase. 6 The last thing I want to talk to you 7 guys about is PFAS. There's -- you know, the PFAS 8 hose, everybody's trying to drink as fast as we can 9 from the PFAS hose. And so last time we talked, I 10 think there were some proposed rules that have now 11 gone final. 12 So the Superfund or the CERCLA 13 hazardous substance rule passed, and so there's two 14 PFAS - PFOA and PFOS - that are now CERCLA hazardous 15 substances, that brings with it a lot of 16 implications for liability for people. 17 There's still a proposed rule for 18 RCRA hazardous constituents that will impact the 19 RCRA corrective action world. There's nine PFAS 20 that are included in that proposed rule, and if it 21 goes final that would mean that if you're in 22 corrective action or if you have a release that -- 23 as a RCRA facility, then you would have to address 24 that in terms of sampling and cleanup. 25 And everyone says that this hazardous	Page 8 1 same time I started coming to the council; so this 2 is the first meeting I've ever been to where he 3 wasn't here. I printed off his obituary if you want 4 to take a look at that. We definitely appreciated 5 his service. 6 We neglected to introduce a couple of 7 new people in last year's meeting from the 8 permitting section, so I wanted to do that real 9 quick. Jerry Forgey and Mike Schornick joined the 10 Permitting section last year. They've been 11 excellent, they have a lot of industry knowledge 12 that we find very helpful. 13 And then there's a more recent 14 addition to the Permitting section, Shaley Whitnah, 15 and she's also been excellent. She's actually done 16 a little bit of cross-training in my group and, 17 surprisingly, contributed quite a bit for someone 18 who really just started about a month ago. 19 And then I have a new inspector in my 20 group, Mr. David Burton, who I believe is sitting 21 behind me somewhere. He came to us from the Tire 22 program internally and then he has some enforcement 23 background with the State of Colorado. 24 And I definitely encourage you to 25 talk to him a little bit, he's very impressive. He

Page 9 1 brings a lot of energy and a lot of tech savviness 2 that is very much appreciated by me because I don't 3 have that. 4 And then last but not least, two 5 people down from me to my left is our new RCRA 6 attorney, Kylen Huffman, and she's been great. 7 She's overseeing the RCRA compliance and 8 enforcement, the permitting corrective action, and 9 anything else that they can get her to do. She's 10 been outstanding, and I definitely recommend you 11 talk to her, as well. 12 So that's all I have as far as 13 introductions. We're really happy with all these 14 people. Just on a personal note, I think this is 15 some of the better crop of new employees that we've 16 had in a long time, and as someone who's 17 contemplating retirement, it is encouraging to think 18 that we're going to hand the keys to people that are 19 going to drive the boat in a good direction. 20 So that's all I have, and I'm going 21 to hand it off to Mr. Stickney for the budget 22 presentation. 23 MR. STICKNEY: Good morning. For the 24 budget review, if you have a hard copy in front of 25 you, let's start with the FY 2024 sheet for budgeted	Page 11 1 More information about the grant 2 money. The grant allocation in FY 2015 was \$1 3 million, and you may remember it decreased each year 4 until FY20, when the allocation was \$856,000. There 5 was an upper trend following FY20 through FY24, with 6 an average increase just under \$87,000 a year. The 7 projected grant amount for this year, FY25, is 8 \$1,132,000, and that's about \$72,000 more than this 9 past fiscal year. 10 Looking at the individual line items 11 in the different categories in column 1, starting 12 with salaries and other compensation expenses, we 13 budgeted more than was expended with a difference of 14 about \$137,000. 15 Next, looking at the line item for 16 professional services, we expended \$121,547 which is 17 more than was budgeted. Professional services 18 include things like maintenance and calibration of 19 equipment, sampling events, and document databases. 20 Travel expenses were lower than what 21 we budgeted, a difference of \$109,705. 22 Administrative expenses, expenditures were up from 23 the budgeted amount, a difference of \$22,709. These 24 expenses include things like copy machines, office 25 supplies, legal notices, sampling equipment, and
Page 10 1 and expended amounts, it's labeled "Sheet 1" in the 2 upper right, it's the page with five columns. 3 If we can start with column 2 that 4 has the heading of "FY 2024 Budget", the total was 5 \$3,255,614. That number's broken down by categories 6 which are seen in column 1 on the left, and I'll 7 talk about those more in just a few minutes. 8 FY24 expenditures are found in column 9 3, and any remaining encumbrances are in column 4. 10 Columns 3 and 4, added together, are represented as 11 totals by category in column 5. The total for all 12 categories of expended and encumbered is \$2,877,860, 13 as seen at the bottom of column 5. 14 Going back to the top of the page, 15 you can see the income for FY 2024. Those numbers 16 on the right-hand side, \$1,608,530, which is the fee 17 income, and \$1,204,200, which is the amount of our 18 federal grant. Total income for FY24 was 19 \$2,884,730. 20 More information about -- let me 21 rephrase that. Additional information not seen on 22 these handouts as far as fees, the income for FYs 20 23 through 24 averaged \$1,598,000, and FY24 fees came 24 in just over that average, with a difference of 25 about \$82,000.	Page 12 1 carpool. 2 Lab equipment, furniture, and 3 building construction and air monitoring sites, 4 expenditures are less than the budgeted amount by 5 about \$119,000. The Northwest Oklahoma Economic 6 Development Authority, that is a statutory 7 required payment, it's calculated as a percentage of 8 the hazardous waste fees collected by the Lone 9 Mountain TSD facility. This year, the payments 10 totaled \$213,332. 11 Indirect costs, we budgeted about 12 \$40,000 more than was expended. Indirect costs are 13 those that are hard to calculate and can't be tied 14 directly to a program or a division, things like 15 running payroll, procurement, accounting, postage, 16 and electricity are examples. 17 In summary, for FY24, we budgeted 18 \$3,255,000, our expenses were \$2,877,000, and our 19 income was \$2,884,000. Income was greater than 20 expenses by \$6,870. That's the review of FY24. 21 Let's look at FY25's budget, and then we can see if 22 there are any questions. 23 Sheet 2. FY25's budget, looking at 24 the category salaries and compensation, expenses, 25 for FY25 we budgeted \$1,683,064, which is a little

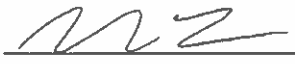
Page 13 1 lower than was -- what was expended last year. 2 Professional services is budgeted for \$484,500, 3 which is up from last year. 4 Travel expenses. Our projected 5 travel expenses of \$40,100 are down from what was 6 budgeted last year, although the amount is higher 7 than what was expended last year. Administrative 8 expenses, that's higher than FY24, with an amount of 9 \$33,418. That amount is close to what was expended 10 in FY24. 11 Lab equipment, furniture, and 12 building construction and air monitoring, that comes 13 in at \$5,850. That's down from last year's budget, 14 but slightly higher than the expended amount of 15 \$4,971 for FY24. 16 Northwest Oklahoma Economic 17 Development Authority, we have budgeted \$125,000 18 which is less than FY24. The \$125,000 is more in 19 line with the last four or five years' average of 20 what was actually expended with the exception of 21 last year, which was unusually high. Indirect 22 costs, the budgeted amount of \$566,351 is almost the 23 same as was expended last year. 24 Overall, the FY25 budget is 25 \$2,938,283, the FY24 budget was \$3,255,614, which is	Page 15 1 MR. CLARK: Okay. 2 MR. GIBSON: Could you talk about the 3 professional services increase on FY25? 4 MR. STICKNEY: We have some inspections 5 that we've done that are leading to some enforcement 6 issues and we expect to have to go in, do some 7 sampling, maybe install some monitoring wells, that 8 sort of thing. 9 So those -- the sampling and 10 installing the wells falls under professional 11 services. We don't have that often in that 12 magnitude. 13 MR. GIBSON: So in that situation, do you 14 have the opportunity to recover any funds that's 15 spent? And I guess that may be a question for the 16 other end of the table. 17 MR. STICKNEY: I would look to the lawyers 18 for that, but I suspect that when it comes to -- if 19 it ends up with a consent order or an administrative 20 order then that would be -- there would be an 21 attempt to recoup that. 22 MR. GIBSON: Thank you. 23 CHAIRMAN GRATER: Are there any other 24 questions from the council or from the public? 25 That would bring us to the next item
Page 14 1 a difference of \$317,000; however, the FY25 budget 2 is only \$60,000 more than was expended in FY24. 3 That concludes my presentation, I 4 would be happy to answer any questions you may have. 5 MR. CLARK: Question, Mike. 6 MR. STICKNEY: Yes? 7 MR. CLARK: Why the \$119,000 disconnect in 8 2024 on lab construction? What didn't happen? 9 That's a chunk of change. 10 MR. STICKNEY: I expect that we budgeted 11 for what we expected to happen, but then we didn't 12 -- the lab didn't have maintenance issues or we 13 didn't help them with securing new equipment, 14 something like that; so it wasn't expended. 15 MR. CLARK: So there was something you had 16 planned to purchase, some -- 17 MR. STICKNEY: We just -- 18 MR. CLARK: -- piece of -- 19 MR. STICKNEY: -- we put some money in 20 that -- 21 MR. CLARK: -- equipment they decided not 22 to buy? 23 MR. STICKNEY: -- in that category with 24 the expectation that we were going to do that and I 25 guess it just didn't happen, so --	Page 16 1 on the agenda, which is Discussion, Amendment, and 2 Roll Call Vote to Approve the October 26, 2023 3 Hazardous Waste meeting agenda, or notes. 4 First of all, are there any questions 5 or discussion from the council on those notes? 6 Well, I have actually two. If we 7 would refer to basically the last page of the notes, 8 which would be specifically page 37, line 3, the 9 discussion about cleaning up high school 10 laboratories. I made a statement that in my 11 experience, had there been a fire at one or two of 12 these, there would have been an explosion, and it 13 says here, "it would have taken out half a million 14 miles"; I'm pretty sure I meant half a mile, 15 especially if somebody's actually going to read 16 this. 17 And then in the same page, line 11, I 18 was referring to a "50-year-old bottle of" picric 19 acid, not "nitric acid", there's a substantial 20 difference. If you'd make those corrections, 21 please, I would appreciate it. 22 Are there any other comments about 23 the notes? Any questions from the public regarding 24 those? No discussion? 25 Okay. I would -- is there a motion

1 for a vote to approve or disapprove? 2 MR. GIBSON: I make a motion to approve. 3 CHAIRMAN GRATER: A motion's been made, is 4 there a second? 5 MR. COBB: Second. 6 CHAIRMAN GRATER: Ms. Fields, will you 7 call the roll, please? 8 MS. FIELDS: Mr. Anderson? 9 MR. ANDERSON: Aye, with the changes 10 noted. 11 MS. FIELDS: Mr. Clark? 12 MR. CLARK: Aye. 13 MS. FIELDS: Mr. Cobb? 14 MR. COBB: Aye. 15 MS. FIELDS: Mr. Copeland? 16 MR. COPELAND: Aye. 17 MS. FIELDS: Mr. Gibson? 18 MR. GIBSON: Aye. 19 MS. FIELDS: Dr. Ede? 20 DR. EDE: Aye. 21 MS. FIELDS: Mr. Grater? 22 MS. HUFFMAN: I have a comment real quick. 23 Since we are amending the minutes, we need to note 24 that it is as amended. 25 MS. FIELDS: Mr. Grater?	Page 17 1 agenda is Presentation, Discussion, and Vote on the 2 incorporation of federal rule changes from the year 3 that ended June 30, 2024. Mr. Edwards, Mr. Kirk. 4 MR. EDWARDS: This is always my favorite 5 part, where I say Mr. Kirk will present this. 6 MR. KIRK: Thank you. 7 Good morning. Today we are 8 presenting an incorporation by reference rule change 9 that is intended to essentially clean up parts of 10 the hazardous waste regulations, so this should be 11 fairly straightforward. 12 To give us some background, when the 13 EPA published the Hazardous Waste Generator 14 Improvements rule, the Hazardous Waste 15 Pharmaceuticals rule, and the Definition of Solid 16 Waste rule, there were a number of oversights that 17 were left in the regulatory text. I know that most 18 of you were serving on the council when we passed 19 those rules, I just mention it so you should be 20 familiar with those. 21 I'll add that if you take time to 22 read through the list of mistakes that made their 23 way into the final rule, even after the extensive 24 review process that these rules go through, you'll 25 probably feel much better about yourself the next
1 MS. HUFFMAN: We need a motion to amend. 2 MR. GIBSON: I'll make a motion that we 3 amend it, the notes. 4 CHAIRMAN GRATER: Okay. Is there a 5 second? 6 MR. ANDERSON: Second. 7 CHAIRMAN GRATER: A motion's been made and 8 seconded to accept the amended notes. 9 Ms. Fields? 10 MS. FIELDS: Mr. Anderson? 11 MR. ANDERSON: Aye. 12 MS. FIELDS: Mr. Clark? 13 MR. CLARK: Aye. 14 MS. FIELDS: Mr. Cobb? 15 MR. COBB: Aye. 16 MS. FIELDS: Mr. Copeland? 17 MR. COPELAND: Aye. 18 MS. FIELDS: Dr. Ede? 19 DR. EDE: Aye. 20 MS. FIELDS: Mr. Gibson? 21 MR. GIBSON: Aye. 22 MS. FIELDS: Mr. Grater? 23 CHAIRMAN GRATER: Yes. 24 MS. FIELDS: Motion passed. 25 CHAIRMAN GRATER: The next item on the	Page 18 1 time you make an error. 2 So EPA is taking this opportunity to 3 make corrections primarily to the three provisions 4 of the hazardous waste regulations that I mentioned 5 previously as well as a number of other minor 6 corrections that are independent of those three 7 rules. 8 Types of corrections include fixing 9 typographical errors, incorrect and outdated 10 citations, rewording ambiguous or confusing 11 language, updating addresses, and so forth is just 12 to name a few. 13 I'm going to make the bold assumption 14 that nobody here is interested in going point by 15 point with every correction, so I'm just going to 16 give you a few examples, if that's all right. 17 If you've been dealing with RCRA for 18 quite a while, you are very familiar with the 19 citations 40 CFR 261.5 and 262.34. These were often 20 cited all throughout the hazardous waste regulations 21 but the content of those sections was revised, 22 reorganized and moved elsewhere when the Generator 23 Improvements Rule was promulgated. 24 However, references to those sections 25 remained throughout the entirety of the regulations,

Page 21 1 even though they are currently empty, if you will. 2 In another instance, a clarifying 3 comment that was associated with a rule change in 4 the -- or, a rule proposed in the Generator 5 Improvements Rule and should have remained in the 6 preamble, somehow it made its way into the actual 7 rule text and was attached to that specific rule. 8 So this is just an example of some of the things 9 that they're cleaning up. 10 So this rule was published as a 11 direct final rule without a prior proposed rule. 12 This was because EPA viewed this as a 13 noncontroversial action and did not anticipate any 14 adverse comments. However, a proposed rule was 15 published simultaneously to the direct final rule. 16 It's my understanding that a direct 17 final rule, if there are no comments, goes into 18 effect on the effective date, and if there are any 19 comments, then the rule in its entirety is 20 withdrawn. 21 And like I said, I believe the EPA's 22 intent of publishing the proposed rule at the same 23 time was to be able to separate out anything that 24 they -- any sections about which they received 25 comment, and then the rest of these sections could	Page 23 1 address these specific comments on those eight 2 sections in subsequent rulemaking or allow the 3 withdrawal of those specific provisions to stand. 4 One of the technical corrections in 5 the direct final rule was promulgated under HSWA 6 authority and would have been effective on the 7 effective date of December 7, 2023. And that's 8 effective automatically, state adoption was not 9 required. 10 However, that was one of the rules 11 that received -- or, one of the sections that 12 received an adverse comment, so they just pulled 13 that section. 14 So otherwise, this direct final rule 15 is considered to be neither more nor less stringent 16 than the current standards and, therefore, state 17 adoption is not required. However, in order to 18 maintain equivalency with the federal program as 19 well as to correct unnecessary errors and improve 20 clarity in the hazardous waste regulations, we 21 recommend adoption of these rule changes. 22 Does anybody have any questions? 23 CHAIRMAN GRATER: I do have one comment. 24 The situation you talked about regarding having to 25 list the characteristic codes on manifest paperwork,
Page 22 1 become effective on the scheduled effective date. 2 I've got a call in to the EPA just to make sure that 3 I'm correct on that, but I think that is -- that is 4 my understanding. 5 So there were eight. EPA did receive 6 eight such comments, so those eight sections were 7 withdrawn and the rest of -- the vast majority 8 became effective on December 7, 2023. 9 An example of one of these comments 10 that they received was -- dealt with situations in 11 which a waste is both listed and characteristic. 12 The characteristic codes are not required to be 13 included - and this is including anywhere where you 14 would have to include a hazardous waste code - if 15 the listed waste code addresses the constituents 16 and/or -- well, I'm going to open quotes here, 17 "listed waste code addresses the constituents and/or 18 properties that cause the waste to exhibit the 19 characteristic", close quotes. 20 There were a few commenters that 21 thought that this was a bit too ambiguous, that 22 "addressed" is somewhat vague and needed to be 23 clarified, and so I agree that this is something 24 they need to reword. 25 So that said, EPA has the option to	Page 24 1 whatever, regarding waste and then also specific 2 waste codes in which the treatment standard is 3 included, for example lead, it's really pointless to 4 list the characteristic codes. I can't see that 5 that would be a huge and beneficial change to 6 anybody that has to manage that sort of thing on a 7 regular basis, believe me. 8 MR. KIRK: And I think the intent of the 9 adverse comment was to say go back to the drawing 10 board and clarify what you mean by "address". There 11 are various scenarios that they went through that 12 could be interpreted differently based on that, so 13 -- 14 CHAIRMAN GRATER: Yeah. 15 MR. KIRK: But yeah, I'm assuming they're 16 going to go back and just reword that to where it's 17 a little more clear. 18 CHAIRMAN GRATER: Yeah. The P or K code 19 has a specific treatment standard for lead which is 20 equal to or lower than the characteristic standards, 21 it's quite the list of the characteristic codes. 22 Any other comments from the -- 23 DR. EDE: One comment. I'm not 24 disagreeing with what you're saying, but if I gave 25 you a waste, a U223 - U as in Union - and I ask you

Page 25 1 is it flammable or not, unless you know all the U 2 and P codes, that's difficult in an emergency 3 situation. 4 This is the reason why I've always 5 taught that you do both the listed and the 6 characteristic waste codes. That U223, it's a D001 7 waste, if it is or not, you know, that's one of the 8 advantages of having both your characteristic waste 9 codes and your listed waste codes. So that's on an 10 emergency response. 11 CHAIRMAN GRATER: I would agree with 12 Dr. Ede in that respect, that is when the 13 characteristic goes to the flammability and 14 reactivity, but as far as the individual compounds 15 that constitute the bulk of the characteristic 16 codes, it's laborious. 17 DR. EDE: I do agree to that. 18 CHAIRMAN GRATER: Are there any other 19 comments from the council? Any comments from the 20 public? 21 In that case, is there a motion to 22 approve or disapprove? 23 MR. COBB: I motion to approve. 24 CHAIRMAN GRATER: A motion has been made 25 to approve, is there a second?	Page 27 1 I'm sorry. 2 MS. HUFFMAN: I'm sorry. We have a 3 procedural matter to address regarding the motion to 4 amend the minutes that was made earlier. 5 CHAIRMAN GRATER: Yes. 6 MS. HUFFMAN: Ms. Fields, could you read 7 back the language of the minutes regarding that 8 motion? 9 MS. FIELDS: I don't have the language 10 that he actually said, but he actually -- he stated 11 it, but -- Mr. Grater stated it before he asked for 12 the motion, actually. The changes, right? 13 We're talking about the transcript 14 that you were reading off of. The transcript that 15 you -- you know, from the minutes? 16 CHAIRMAN GRATER: Yes. 17 MS. FIELDS: So you had changes from the 18 transcript? 19 CHAIRMAN GRATER: Yes. 20 MS. FIELDS: So you read the changes, 21 correct -- 22 CHAIRMAN GRATER: Yes. 23 MS. FIELDS: -- before you asked for the 24 motion. 25 CHAIRMAN GRATER: Yes.
Page 26 1 MR. ANDERSON: I second it. 2 CHAIRMAN GRATER: Ms. Fields, would you 3 call the roll, please? 4 MS. FIELDS: Mr. Anderson? 5 MR. ANDERSON: Aye. 6 MS. FIELDS: Mr. Clark? 7 MR. CLARK: Aye. 8 MS. FIELDS: Mr. Cobb? 9 MR. COBB: Aye. 10 MS. FIELDS: Mr. Copeland? 11 MR. COPELAND: Aye. 12 MS. FIELDS: Dr. Ede? 13 DR. EDE: Aye. 14 MS. FIELDS: Mr. Gibson? 15 MR. GIBSON: Yes. 16 MS. FIELDS: Mr. Grater? 17 CHAIRMAN GRATER: Yes. 18 MS. FIELDS: Motion passed. 19 CHAIRMAN GRATER: The next issue on the -- 20 MS. HUFFMAN: And pardon me, there's a 21 procedural matter to address. 22 CHAIRMAN GRATER: Pardon? 23 MS. HUFFMAN: There's a procedural matter 24 to address at this time, I'm sorry. 25 CHAIRMAN GRATER: I still didn't hear you,	Page 28 1 MS. FIELDS: So I think that's what she's 2 trying to... 3 MS. HUFFMAN: We need to make sure that 4 the motion was made to approve the minutes as 5 amended rather than just approve the minutes before 6 they were amended. 7 CHAIRMAN GRATER: Yes, I believe that was 8 stated. 9 MS. FIELDS: It was. 10 MS. HUFFMAN: Do we have language to that 11 effect? 12 MS. FIELDS: She has it on record. 13 MS. HUFFMAN: As a motion to approve the 14 minutes as amended? 15 MS. FIELDS: Yes. Everything that was 16 said, the court reporter has it in the record. 17 MS. HUFFMAN: So we will need to have a 18 motion to approve as amended now. I apologize for 19 the confusion. 20 MR. CLARK: Wasn't that the second vote? 21 MS. FIELDS: I thought that was. I 22 thought it was the second vote. 23 CHAIRMAN GRATER: We did take a second 24 vote. 25 MS. FIELDS: Because they did the first

Page 29 1 vote and then -- 2 MR. ANDERSON: We had to go back and amend 3 it. 4 MS. HUFFMAN: I just want to make sure 5 that language is reflected in the minutes now. 6 MR. KENNEDY: Kole Kennedy. I think I can 7 help clarify just a little bit. What you had done 8 unintentionally was approved the minutes on the 9 first vote, but then we addressed the amending of 10 the minutes, but now we need to vote to approve the 11 minutes as amended. 12 So, technically all you did was 13 change the minutes, now we need to approve those 14 minutes as amended. 15 MR. CLARK: Gotcha. 16 CHAIRMAN GRATER: Okay. I thought the 17 second vote did that, but we will address that 18 issue. 19 Is there a motion to approve the 20 notes as amended? 21 MR. CLARK: I move to approve the minutes 22 as amended. 23 CHAIRMAN GRATER: Is there a second? 24 MR. ANDERSON: I second. 25 CHAIRMAN GRATER: Ms. Fields?	Page 31 1 believe. Do we have a nomination for Mr. Reaves' 2 position as Vice Chairman? 3 MR. GIBSON: I'd like to nominate 4 Mr. Kenneth Ede. 5 MR. CLARK: I would second that. 6 CHAIRMAN GRATER: Ms. Fields, will you 7 call the roll? 8 MS. FIELDS: Mr. Anderson? 9 MR. ANDERSON: Aye. 10 MS. FIELDS: Mr. Clark? 11 MR. CLARK: Aye. 12 MS. FIELDS: Mr. Cobb? 13 MR. COBB: Aye. 14 MS. FIELDS: Mr. Copeland? 15 MR. COPELAND: Aye. 16 MS. FIELDS: Dr. Ede? 17 DR. EDE: Aye. 18 MS. FIELDS: Mr. Gibson? 19 MR. GIBSON: Yes. 20 MS. FIELDS: Mr. Grater? 21 CHAIRMAN GRATER: Yes. 22 MS. FIELDS: Motion passed. 23 CHAIRMAN GRATER: The other officer to be 24 considered would be the Chairman. 25 MR. ANDERSON: I'd like to nominate
Page 30 1 MS. FIELDS: Mr. Anderson? 2 MR. ANDERSON: Aye. 3 MS. FIELDS: Mr. Clark? 4 MR. CLARK: Aye. 5 MS. FIELDS: Mr. Cobb? 6 MR. COBB: Aye. 7 MS. FIELDS: Mr. Copeland? 8 MR. COPELAND: Aye. 9 MS. FIELDS: Dr. Ede? 10 DR. EDE: Aye. 11 MS. FIELDS: Mr. Gibson? 12 MR. GIBSON: Yes. 13 MS. FIELDS: Mr. Grater? 14 CHAIRMAN GRATER: Yes. 15 MS. FIELDS: Motion passed. 16 CHAIRMAN GRATER: I believe the next 17 agenda item is Election of Officers for 2025. 18 I would like to start that by saying 19 I was deeply affected by hearing that Ray Reaves 20 passed away. He's been here a long time, longer 21 than I have, which is a long time, and he was 22 definitely a contributing member of the committee 23 and I'm very sorry to hear of his loss. We thank 24 him for his service. 25 There's nomination for officers, I	Page 32 1 Mr. Grater. 2 CHAIRMAN GRATER: A nomination's been 3 made. Is there a second? 4 MR. COBB: I second. 5 CHAIRMAN GRATER: Ms. Fields, if you would 6 call the roll, please. 7 MS. FIELDS: Mr. Anderson? 8 MR. ANDERSON: Aye. 9 MS. FIELDS: Mr. Clark? 10 MR. CLARK: Aye. 11 MS. FIELDS: Mr. Cobb? 12 MR. COBB: Aye. 13 MS. FIELDS: Mr. Copeland? 14 MR. COPELAND: Aye. 15 MS. FIELDS: Dr. Ede? 16 DR. EDE: Aye. 17 MS. FIELDS: Mr. Gibson? 18 MR. GIBSON: Yes. 19 MS. FIELDS: Mr. Grater? 20 CHAIRMAN GRATER: Yes. 21 MS. FIELDS: Motion passed. 22 CHAIRMAN GRATER: The next item is to Set 23 Meeting Dates for 2025. 24 Mr. Edwards, do you have any 25 suggestions, Mr. Kirk?

1 MR. EDWARDS: Yes. 2 CHAIRMAN GRATER: Ms. Dixon, we need your 3 input. 4 MR. EDWARDS: So we looked at the 5 calendar. We're looking at July 17th as a potential 6 meeting to hold for new things that may be coming 7 down the pike, and then October 23rd for our 8 rulemaking meeting. 9 CHAIRMAN GRATER: So that's October 23? 10 MR. EDWARDS: Yes. 11 CHAIRMAN GRATER: And the other -- 12 MR. EDWARDS: July 17th. 13 CHAIRMAN GRATER: Are there any comments 14 from the council on those, any conflicts? 15 Not hearing any, are there any 16 comments from the public on those dates? There do 17 not seem to be any comments. 18 Is there a motion to approve those 19 dates as scheduled? 20 MR. ANDERSON: I nominate to approve those 21 dates, there are two. 22 CHAIRMAN GRATER: Is there a second? 23 MR. CLARK: I'll second. 24 CHAIRMAN GRATER: A motion has been made 25 and seconded. Ms. Fields, will you call the roll?	1 Therefore, next item would be to adjourn. 2 Is there a motion to adjourn? 3 MR. CLARK: Move to adjourn. 4 MS. FIELDS: Is there a second? 5 MR. COPELAND: Second. 6 CHAIRMAN GRATER: Ms. Fields, would you 7 call the roll, please? 8 MS. FIELDS: Mr. Anderson? 9 MR. ANDERSON: Aye. 10 MS. FIELDS: Mr. Clark? 11 MR. CLARK: Aye. 12 MS. FIELDS: Mr. Cobb? 13 MR. COBB: Yes. 14 MS. FIELDS: Mr. Copeland? 15 MR. COPELAND: Aye. 16 MS. FIELDS: Dr. Ede? 17 DR. EDE: Aye. 18 MS. FIELDS: Mr. Gibson? 19 MR. GIBSON: Yes, 20 MS. FIELDS: Mr. Grater? 21 CHAIRMAN GRATER: Yes. 22 MS. FIELDS: Motion passed. 23 CHAIRMAN GRATER: That would end today's 24 meeting. Thank you. 25 (MEETING ADJOURNED AT 10:39 AM)
1 MS. FIELDS: Motion passed. 2 MS. FIELDS: Mr. Anderson? 3 MR. ANDERSON: Aye. 4 MS. FIELDS: Mr. Clark? 5 MR. CLARK: Aye. 6 MS. FIELDS: Mr. Cobb? 7 MR. COBB: Aye. 8 MS. FIELDS: Mr. Copeland? 9 MR. COPELAND: Aye. 10 MS. FIELDS: Dr. Ede? 11 DR. EDE: Aye. 12 MS. FIELDS: Mr. Gibson? 13 MR. GIBSON: Yes. 14 MS. FIELDS: Mr. Grater? 15 CHAIRMAN GRATER: Yes. 16 MS. FIELDS: Motion passed. 17 CHAIRMAN GRATER: The next item on the 18 agenda would be New Business limited to any matter 19 not known or which could not have been reasonably 20 foreseen prior to the time of posting the agenda, 21 which was 24 hours before the meeting. 22 Are there any comments from the 23 council? There do not appear to be. 24 Are there any comments from the 25 public? There do not appear to be any comments.	1 CERTIFICATE 2 I, Jenny Longley, Certified Shorthand 3 Reporter within and for the State of Oklahoma, do 4 hereby certify that the above and foregoing meeting 5 was by me taken in shorthand and thereafter 6 transcribed; and that I am not an attorney for nor 7 relative of any of said parties or otherwise 8 interested in the event of said action. 9 IN WITNESS WHEREOF, I have hereunto 10 set my hand and official seal this 1st day of 11 November, 2024. 12 13  14 Jenny Longley, CSR 15 CSR # 1903 16 17 18 19 20 21 22 23 24 25



HAZARDOUS WASTE MANAGEMENT ADVISORY COUNCIL

Attendance Record
October 24, 2024
Oklahoma City, Oklahoma

CHECK BOX TO COMMENT

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MIKE STICKNEY	DEQ	
Kylen Huffman	DEQ	
MIKE EDWARDS	DEQ	
Kelly Dixon	SEQ	
Chas Robinson	DEQ	
Hilkey Gung	DEQ	
Jim Wilkins	DEQ	
Michelle Wynn	DEQ	
Bruce Adams	DEQ	
Lyle Kitch	DEQ	