

REGULAR MEETING AGENDA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA ENVIRONMENTAL QUALITY BOARD

A Public Meeting: 9:30 a.m. Tuesday, June 11, 2024
DEQ Multipurpose Room
707 N. Robinson
Oklahoma City, Oklahoma 73101-1677

Please turn off cell phones

1. **Call to Order** – Mike Paque, Chair
2. **Announcements** – Mike Paque, Chair

Announcements will include the introduction of any new Board members or special meeting guests, as well as safety information for the current meeting venue and any other general housekeeping matters of interest to the Board. These announcements are for informational purposes only, and no action by the Board is required.

3. **Roll Call** – Quiana Fields, Secretary, Board & Councils
4. **Approval of Minutes** of the February 13, 2024, Regular Meeting
5. **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 the compensation of the Executive Director.

- In open session, discussion by the Board
- In open session, consideration of possible executive session pursuant to Title 25 Oklahoma Statutes Section 307(B)(1) (discussion of employment actions related to any individual salaried public officer or employee), if authorized by recorded majority vote of a quorum of the Board members present
- In open session, if executive session approved, designation of a person to keep minutes in executive session
- In executive session, discussion of possible employment actions by the Board relating to the Executive Director

6. **Reconvene into open session**

- In open session, roll call vote to reconvene regular Board meeting

7. **Consider taking action on the following:**

- In open session, possible roll call vote on specific actions or recommendations as a result of the Executive Session discussion concerning the employment, hiring, appointment, and/or resignation of the Executive Director.

8. Rulemaking – OAC 252:100 Air Pollution Control [AMENDED]

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 OOOOb Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After December 6, 2022 (NSPS Subpart OOOOb). 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 OOOOb to take LPE limits to avoid applicability of the federal requirements for certain equipment.

- Presentation – Laura Lodes, Chair, Air Quality Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

9. Rulemaking – OAC 252:301 Laboratory Accreditation [AMENDED]

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.

- Presentation – Brian Duzan, Chair, Water Quality Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

10. Rulemaking – OAC 252:302 Field Laboratory Accreditation [AMENDED]

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.

- Presentation – Brian Duzan, Chair, Water Quality Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

11. Rulemaking – OAC 252:307 TNI Laboratory Accreditation [AMENDED]

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.

- Presentation – Brian Duzan, Chair, Water Quality Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on

12. Executive Director's Report - Robert Singletary, Deputy Executive Director, DEQ

The Director's report may include significant agency accomplishments and activities since the last Board meeting, as well as information pertaining to budgetary and/or legislative matters. This report is for informational purposes only, and no action by the Board is required.

13. Update and Financial Overview (FY 2025) – Kathy Aebischer, Chief Financial Officer

Ms. Aebischer's report will include an update and overview of DEQ's current budget for Fiscal Year 2025. This report is for informational purposes only. Although discussion may occur, no action by the Board is required.

14. Capital Budget Request (FY 2026)

- Presentation – Kathy Aebischer, Chief Financial Officer, DEQ
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s)

15. New Business

Any matter not known about, and which could not have been reasonably foreseen prior to the posting of the agenda.

16. Next Meeting

September 10, 2024, Durant, Oklahoma

17. Adjournment

Public Forum – Following Adjournment – The Board meets several times a year at different locations across the State to hear the views and concerns of all Oklahomans about environmental issues. This opportunity is informal, and we invite you to sign the register to speak. If necessary to accommodate the public, the Board Chair may decide to conduct the Forum prior to the Call to Order.

Should you desire to attend but have a disability and need an accommodation, please notify the DEQ three days in advance at 405-702-7100. For hearing impaired, the TDD Relay Number is 1-800-722-0353 for TDD machine use only.