MINUTES WATER QUALITY MANAGEMENT ADVISORY COUNCIL

January 5, 2023

Oklahoma Department of Environmental Quality Multipurpose Room Oklahoma City, Oklahoma

Official WQMAC

To be approved at the September 26, 2023 Meeting

Notice of Public Meeting – The Water Quality Management Advisory Council (WQMAC) convened for a Regular Meeting at 1:00 p.m. at the Oklahoma Department of Environmental Quality (DEQ), 707 North Robinson, Oklahoma City, Oklahoma. The meeting was held in accordance with the Open Meeting Act, with notice of the meeting given to the Secretary of State on November 1, 2022. The agenda was posted at DEQ twenty-four hours prior to the meeting. Mr. Brian Duzan, Chair, called the meeting to order. Also, Mr. Duzan welcomed new member, Eric Lee to the Council. Ms. Quiana Fields called roll and confirmed that a quorum was present.

MEMI	BERS	PR	ESI	ENT
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Ron Jarman
Eric Lee
Mary Mach
Mark Matheson
Rick Moore
Bill Smith
Steve Sowers
Duane Winegardner
Brian Duzan

MEMBERS ABSENT

Debbie Wells

DEO STAFF PRESENT

Shellie Chard
Karen Steele
Susan Mensik
Jennifer Boyle
Brian Clagg
Jeff Franklin
Hillary Young
Greg Carr
Sarah Angiel
Joe Long
Michelle Wynn
Emily Hoskin
Mark Hildebrand
April Eberle

Quiana Fields

OTHERS PRESENT

Jenny Longley, Court Reporter

Approval of Minutes from the August 23, 2022 Meeting – Mr. Duzan called for a motion to approve the Minutes of the August 23, 2022 Regular Meeting. Mr. Smith moved to approve and Ms. Mach made the second.

	See trans		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Abstain	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Abstain	Brian Duzan	Yes
Rick Moore	Yes		

COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2023 – Mr. Duzan called for a motion to approve the 2023 WQMAC dates; April 18, July 25 and September 26. Mr. Sowers moved to approve and Mr. Winegardner made the second.

	See transcript pages 4 - 5		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

SELECTION OF THE VICE-CHAIR – Mr. Duzan opened discussion for nominations for Vice-Chair. Mr. Duzan nominated Mr. Sowers for Vice-Chair and Mr. Matheson made the second.

	See trai		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

Mr. Duzan turned it over to Mr. Sowers for nominations for Chair. Mr. Sowers nominated Mr. Duzan to remain as Chair and Dr. Jarman made the second.

	See transcript pages 7 - 8		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:730 OKLAHOMA'S WATER QUALITY STANDARDS – Mr. Brian Clagg, Environmental Programs Manager of the WQD, stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma legislative session, Senate Bill No. 1325 was enacted transferring authority to administer Oklahoma's Water Quality Standards (OWQS's) from the Oklahoma Water Resources Board (OWRB) to DEQ and House Bill No. 3824 was enacted authorizing DEQ to implement WQS Variances. The legislation became effective November 1, 2022. As a result, DEQ proposed emergency rule OAC 252:730, titled "Oklahoma's Water Quality Standards", to replace OWRB rule OAC 785:45. The Environmental Quality Board (EQB) voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022. Hearing questions by the Council and none by the public, Mr. Duzan called for a motion. Ms. Mach moved to approve and Mr. Matheson made the second.

	see irans		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:740 – IMPLEMENTATION OF OKLAHOMA'S WATER QUALITY STANDARDS – Mr. Clagg stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma legislative

session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill No. 3824 was enacted authorizing DEQ to implement WQS Variances. The legislative became effective November 1, 2022. As a result, DEQ proposed emergency rule OAC 252:740, titled "Implementation of Oklahoma's Water Quality Standards", to replace OWRB's rule OAC 785:46. The EQB voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022. Hearing no questions or comments by the Council or by the public, Mr. Duzan called for a motion. Dr. Moore moved to approve and Dr. Jarman made the second.

	See trans	See transcript pages 22 – 25		
Ron Jarman	Yes	Bill Smith	Yes	
Eric Lee	Yes	Steve Sowers	Yes	
Mary Mach	Yes	Duane Winegardner	Yes	
Mark Matheson	Yes	Brian Duzan	Yes	
Rick Moore	Yes			

PERMANENT RULEMAKING OAC 252:606 — OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS — Mr. Clagg, stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma Legislative session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill 3824 was enacted authorizing DEQ to implement WQS Variances. This required emergency rulemaking to promulgate OAC 252:730 and OAC 252:740 and to update 252:606 to ensure that references to OWRB's authority for administering OWQS's was updated to denote DEQ as now having this authority. The EQB voted to adopt this emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022.

DEQ staff is also proposing an update of the federal rules incorporated by reference from July 19, 2021 to July 1, 2022. The final regulatory change consisted of a technical amendment to modify the submission location for Continuous Release Reports (CRRs) subject to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). These reports were submitted to respective EPA regional offices but with the technical amendment, EPA now requires reports be submitted to the appropriate EPA Headquarters office. The amendment also corrected a typographical error, corrected citations within the section, and amended the listed authority. Hearing no questions or comments by the Council or by the public, Mr. Duzan called for a motion. Mr. Smith moved to approve and Mr. Matheson made the second.

	See trans	cript pages 25 – 29	
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Ves		

PERMANENT RULEMAKING OAC 252:611 – GENERAL WATER QUALITY – Mr. Clagg stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma legislative session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill No. 3824 was enacted authorizing DEQ to implement WQS Variances. This required emergency rulemaking to promulgate OAC 252:730 and to update OAC 252:611 to ensure that a reference to the OWRB rule was replaced with a

reference to the new rule and that a reference to OWRB's authority for administering OWQS's was updated to denote DEQ as now having this authority. In addition to these changes, a group of definitions denoted as "Supplemental Information, Glossary Terms" located at the very end of the rule was consolidated with the list of definitions at the beginning of the chapter to conform with the way definitions and terms are referenced in DEQ's other rules. The EQB voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022. Hearing no questions or comments by the Council or by the public, Mr. Duzan called for a motion. Mr. Sowers moved to approve and Mr. Winegardner made the second.

	See trans		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:616 INDUSTRIAL WASTEWATER SYSTEMS

- Mr. Clagg stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma legislative session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill 3824 was enacted authorizing DEQ to implement WQS Variances. This required emergency rulemaking to promulgate OAC 252:730 and to update OAC 252:616 to ensure that a reference to the OWRB rule was replaced with a reference to the new rule and that a reference to OWRB's authority for administering OWQS's was updated to denote DEQ as now having this authority. The EQB voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022. Hearing no questions or comments by the Council or by the public, Mr. Duzan called for a motion. Ms. Mach moved to approve and Dr. Jarman made the second.

	See trans		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:621 – NON-INDUSTRIAL DISCHARGING AND PUBLIC WATER SUPPLY LAGOONS – Mr. Clagg stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma legislative session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill No. 3824 was enacted authorizing DEQ to implement WQS Variances. This required emergency rulemaking to promulgate OAC 252:730 and to update OAC 252:621 to ensure that a reference to the OWRB rule was replaced with a reference to the new rule and that a reference to OWRB's authority for administering OWQS's was updated to denote DEQ as now having this authority. The EQB voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022. Hearing questions by the Council and none by the public, Mr. Duzan called for a motion. Mr. Lee moved to approve and Ms. Mach made the second.

	See transcript pages 33 – 36		
Ron Jarman	Yes	Bill Smith	Yes

Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:626 - PUBLIC WATER SUPPLY CONSTRUCTION STANDARDS - Mr. Clagg stated that the DEQ staff is proposing to: update the rule to allow Design-build as a project delivery method. On July 1, 2021, House Bill 2402 was enacted authorizing conservancy districts, municipalities, counties, public trusts and other political subdivisions operating a public water supply system or wastewater treatment system to utilize Design-build. Design-build is defined as a project delivery method in which one entity works under a single contract to provided design and construction services. The measure requires DEQ incorporate a flexible permitting process to allow this Design-build authorization into its rules and to authorize up to 5 pilot projects in the interim before those rules are adopted. This bill was codified in Oklahoma Statutes, Title 61, Section 220.1. DEQ is proposing to update this rule to include definitions for "Design-build", "Design package" and This also requires updating language for the following "Flexible permitting process". subchapters: Construction Permit Applications, Engineering Reports and Plans and Specifications. Hearing questions by the Council and none by the public, Mr. Duzan called for a motion. Ms. Mach moved to approve and Mr. Sowers made the second.

	See transcript pages 36 – 44		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:628 – INDIRECT POTABLE REUSE FOR SURFACE WATER AUGMENTATION – Mr. Clagg stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma legislative session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill No. 3824 was enacted authorizing DEQ to implement WQS Variances. This required emergency rulemaking to promulgate OAC 252:730 and OAC 252:740 and to update 252:628 to ensure that references to the OWRB's rules were replaced with references to the new rules and that references to OWRB's authority for administering OWQS's was updated to denote DEQ as now having this authority. The EQB voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022. Hearing no questions or comments by the Council or by the public, Mr. Duzan called for a motion. Dr. Jarman moved to approve and Mr. Matheson made the second.

	See trans	See transcript pages 45 - 46		
Ron Jarman	Yes	Bill Smith	Yes	
Eric Lee	Yes	Steve Sowers	Yes	
Mary Mach	Yes	Duane Winegardner	Yes	
Mark Matheson	Yes	Brian Duzan	Yes	
Rick Moore	Ves			

PERMANENT RULEMAKING OAC 252:631 - PUBLIC WATER SUPPLY OPERATION - Mr. Clagg stated that the DEQ staff is proposing to: update the rule concerning

the date of incorporation by reference of certain federal regulations from July 1, 2021 to August 17, 2022. Changes included EPA's approval of alternative testing methods for measuring the levels of contaminations in drinking water and determining compliance with national primary drinking water regulations. This provides timelier access to new measurement techniques and greater flexibility in the selection of analytical methods, thereby reducing monitoring costs while maintaining public health protection. Hearing questions by the Council and none by the public, Mr. Duzan called for a motion. Mr. Sowers moved to approve and Mr. Winegardner made the second.

	See transcript pages 46 – 49		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:633 — DRINKING WATER STATE REVOLVING FUND — Mr. Clagg stated that the DEQ staff is proposing to: revoke and reissue Appendix A to remove language related to application of the median household income as an element used by DEQ in prioritizing the award of DWSRF funds. This change is intended to clarify the DEQ is to utilize information from the latest census on the median household income when prioritizing the award of DWSRF funds, rather than the dollar amounts currently in the provision. The language DEQ proposes to remove does not reflect the latest census information on median household income and was intended to be illustrative only. It was not intended to prevent DEQ from using information from the latest census. Removing this language will clarify that DEQ is to utilize the information from the latest census for the household median income and is not required to only use the dollar amounts listed. Hearing no questions or comments by the Council or by the public, Mr. Duzan called for a motion. Dr. Moore moved to approve and Mr. Smith made the second.

See transcript pages 49 - 51			
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:652 – UNDERGROUND INJECTION CONTROL – Ms. Hillary Young, Chief Engineer of the Land Protection Division (LPD), stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma legislative session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill No. 3824 was enacted authorizing DEQ to implement WQS Variances. This required emergency rulemaking to promulgate OAC 252:730 and to update OAC 252:652 to ensure that a reference to the OWRB rule was replaced with a reference to the new rule and that a reference to OWRB's authority for administering OWQS's was updated to denote DEQ as now having this authority. The EQB voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022. Hearing no questions or comments by the Council and none by the public, Mr. Duzan called for a motion. Dr. Jarman moved to approve and Mr. Matheson made the second.

	See transcript pages 51 – 53			
Ron Jarman	Yes	Bill Smith	Yes	
Eric Lee	Yes	Steve Sowers	Yes	
Mary Mach	Yes	Duane Winegardner	Yes	
Mark Matheson	Yes	Brian Duzan	Yes	
Rick Moore	Yes			

PERMANENT RULEMAKING OAC 252:653 – **AQUIFER STORAGE AND RECOVERY** – Ms. Young stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma legislative session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill No. 3824 was enacted authorizing DEQ to implement WQS Variances. This required emergency rulemaking to promulgate OAC 252:730 and to update OAC 252:653 to ensure that references to the OWRB rule were replaced with reference to the new rule. The EQB voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022. Hearing no questions or comments by the Council or by the public, Mr. Duzan called for a motion. Mr. Smith moved to approve and Dr. Jarman made the second.

	See transcript pages 53 – 55		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:656 WATER POLLUTION CONTROL FACILITY CONSTRUCTION STANDARDS – Mr. Clagg stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma Legislative session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill No. 3824 was enacted authorizing DEQ to implement WQS Variances. This required emergency rulemaking to promulgate OAC 252:730 and to update OAC 252:656 to ensure that a reference to the OWRB rule was replaced with a reference to the new rule. The EQB voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022.

DEQ staff is also proposing to update the rule to allow Design-build as a project delivery method. On July 1, 2021, House Bill 2402 was enacted authorizing conservancy districts, municipalities, counties, public trusts and other political subdivisions operating a public water supply system or wastewater treatment system to utilize Design-build. Design-build is defined as a project delivery method in which one entity works under a single contract to provided design and construction services. The measure requires DEQ incorporate a flexible permitting process to allow this Design-build authorization into its rules and to authorize up to 5 pilot projects in the interim before those rules are adopted. This bill was codified in Oklahoma Statutes, Title 61, Section 220.1. DEQ is proposing to update this rule to include definitions for "Design-build", "Design package" and "Flexible permitting process". This also require updating language for the following subchapters: Construction Permit Process, Engineering Reports and Plans and Specifications. Hearing no questions or comments by the Council or by the public, Mr. Duzan called for a motion. Ms. Mach moved to approve and Dr. Jarman made the second.

See transcript pages 55 - 58

Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

PERMANENT RULEMAKING OAC 252:690 – WATER QUALITY STANDARDS IMPLEMENTATION – Mr. Clagg stated that the DEQ staff is proposing to: present this rule as a permanent rule. During the 2022 Oklahoma Legislative session, Senate Bill No. 1325 was enacted transferring authority to administer OWQS's to DEQ and House Bill No. 3824 was enacted authorizing DEQ to implement WQS Variances. This required emergency rulemaking to promulgate OAC 252:730 and OAC 252:740 and to update OAC 252:690 to ensure that a reference to the OWRB's rules were replaced with references to the new rules and that references to OWRB's authority for administering OWQS's was updated to denote DEQ as now having this authority. The EQB voted to adopt the emergency rule at the EQB meeting held on September 13, 2022, and the Governor approved the emergency rule on October 25, 2022.

DEQ staff is also proposing an update of the federal rules incorporated by reference from July 19, 2021 to July 1, 2022. The final regulatory change consisted of a technical amendment to modify the submission location for Continuous Release Reports (CRRs) subject to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). These reports were submitted to respective EPA regional offices but with the technical amendment, EPA now requires reports be submitted to the appropriate EPA Headquarters office. The amendment also corrected a typographical error, corrected citations within the section, and amended the listed authority.

DEQ staff is also proposing updates to this rule which include moving the text of Appendix A to the body of the rule as Subchapter 7, consolidating definitions from Appendix A with definitions at the beginning of the rule, correcting outdated citations in Subchapter 5, and correcting a few typographical errors. Hearing questions by the Council and none by the public, Mr. Duzan called for a motion. Mr. Smith moved to approve and Mr. Sowers made the second.

	See transcript pages 58 – 63			
Ron Jarman	Yes	Bill Smith	Yes	
Eric Lee	Yes	Steve Sowers	Yes	
Mary Mach	Yes	Duane Winegardner	Yes	
Mark Matheson	Yes	Brian Duzan	Yes	
Rick Moore	Yes			

PERMANENT RULEMAKING OAC 252:710 WATERWORKS AND WASTEWATER WORKS OPERATOR CERTIFICATION – Mr. Clagg stated that the DEQ staff is proposing to: update the rule to allow DEQ to permanently revoke, or revoke for a set time an operator's certification; to better define special requirements for instructors of approved training courses; and, to allow recording of laboratory analyses utilizing software applications in addition to bound volumes. Hearing questions by the Council and none by the public, Mr. Duzan called for a motion. Mr. Lee moved to approve and Mr. Matheson made the second.

	See transcript pages 63 - 67		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes

Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

DIRECTOR'S REPORT – Mr. Jeff Franklin, Division Director of SELS gave a brief report on lab activities. Afterward, Ms. Shellie Chard, Division Director of WQD, provided an update on other division activities.

See transcript pages 68 - 78

NEW BUSINESS – None

ANNOUNCEMENTS – Ms. Chard gave an update on Lead Service Line Inventory Training. Mr. Duzan stated that the next scheduled meeting is on Tuesday, April 18, 2023, 2:00 p.m. at DEQ.

ADJOURNMENT – Mr. Duzan called for a motion to adjourn. Dr. Jarman moved to adjourn and Ms. Mach made the second. The meeting was adjourned at 2:29 p.m.

	See transcript pages 80 – 81		
Ron Jarman	Yes	Bill Smith	Yes
Eric Lee	Yes	Steve Sowers	Yes
Mary Mach	Yes	Duane Winegardner	Yes
Mark Matheson	Yes	Brian Duzan	Yes
Rick Moore	Yes		

Transcript and Attendance Sheet are attached as an official part of these Minutes.

		200000000
1	Page 1	SECRETARY FIELDS: Ms. Mach?
2	2	MS. MACH: Here.
3 REGULAR MEETING	3	SECRETARY FIELDS: Mr. Matheson?
4 DEPARTMENT OF ENVIRONMENTAL QUALITY	4	MR. MATHESON: Here.
5 WATER QUALITY MANAGEMENT ADVISORY COUN	CIL 5	SECRETARY FIELDS: Dr. Moore?
6 ON JANUARY 5, 2023 AT 1:00 PM	6	DR. MOORE: Here.
7	7	SECRETARY FIELDS: Mr. Smith?
8	8	MR. SMITH: Here.
9	9	SECRETARY FIELDS: Mr. Sowers?
10 MEMBERS PRESENT	10	VICE-CHAIRMAN SOWERS: Here.
11 Ron Jarman	11	SECRETARY FIELDS: Ms. Wells is absent.
12 Eric Lee	12	Mr. Winegardner?
13 Mary Mach	13	MR. WINEGARDNER: Here.
14 Steve Sowers	14	SECRETARY FIELDS: Mr. Duzan?
15 Mark Matheson	15	CHAIRMAN DUZAN: Here.
16 Bill Smith	16	SECRETARY FIELDS: We have a quorum.
17 Duane Winegardner	17	
18 Rick Moore	18	the approval of the minutes from the August 23, 2022
19 Brian Duzan		meeting. The last meeting, we didn't have a quorum
20		so we don't have official minutes, and we couldn't
21 MEMBERS ABSENT		approve the minutes from the previous meeting; so
22 Debbie Wells	22	this is from the August 23rd meeting.
23	23	T
24	24	
25 REPORTED BY: Jenny Longley, CSR	25	CHAIRMAN DUZAN: Okay. We have a motion
1 PROCEEDINGS	age 2	Page 4
² CHAIRMAN DUZAN: Got a lot to go throug		and a second, we'll have a vote.
3 so we're going to get started right away.	1, 2	DOCKETTIKE FIEDDS: DI. Juittali:
4 This regular meeting of the Water	4	DR. JARMAN: Yes. SECRETARY FIELDS: Mr. Lee?
5 Quality Management Advisory Council was called in		
6 accordance with the Open Meeting Act.	6	With DDD. Abstaill,
7 Notice for this January 5, 2023	7	BECKETART TIEEDS, Wis. Mideli:
8 Regular Meeting was filed with the Secretary of	8	1415, 1411 (611. 1 63,
9 State on November 1, 2022. The Agenda was duly	9	SECRETARY FIELDS: Mr. Matheson?
10 posted at DEQ at least 24 hours prior to the	10	MICHIEL MICHIEL CONTROL
11 meeting.	11	DECKETTICT TIEDES, DI, MODIC:
Only matters appearing on the posted	12	DR. MOORE: Yes. SECRETARY FIELDS: Mr. Smith?
13 Agenda may be considered at this regular meeting.	13	ODOREST TIEDDS MIL BINKING
14 In the event that this meeting is continued or	14	100.
15 reconvened, public notice of the date, time, and	15	SECRETARY FIELDS: Mr. Sowers?
16 place of the continued meeting will be given by	16	THE CHILITAN IN DOWNERD. 163,
17 announcement at this meeting. Only matters	17	DOCKETT TIBEDS. MIT. WINGSAIGHGT.
18 appearing on the Agenda of a meeting which is	18	1711001112111 103.
19 continued may be discussed at the continued or	19	DECKETTICT TIEEDS, Mr. Duzaii;
20 reconvened meeting.	20	0
21 So we'll have a roll call.	21	beotterritti i ieebs. Motton passeu.
22 SECRETARY FIELDS: Dr. Jarman?	1	CHAIRMAN DUZAN: Okay. Next is the
23 DR. JARMAN: Here.	23	schedule of meetings for this calendar year, they're
24 SECRETARY FIELDS: Mr. Lee?	24	my -m parameter to business,
25 MR. LEE: Here.	25	April 18th, at 2:00; Tuesday, July 25th, at 2:00; Tuesday, September 26th, at 2:00; and thoulan all in
erees made likes.	43	Tuesday, September 26th, at 2:00; and they're all in

PROFESSIONAL REPORTERS

	Page 5		Page 7
1	this room at the DEQ.	1	MS. MACH: Yes
2	VICE-CHAIRMAN SOWERS: Make a motion to	2	SECRETARY FIELDS: Mr. Matheson?
1	approve.	3	MR. MATHESON: Yes.
4	MR. WINEGARDNER: Second.	4	SECRETARY FIELDS: Dr. Moore?
5	CHAIRMAN DUZAN: We have a motion and a	5	DR. MOORE: Yes.
6	second, we'll have a vote.	6	SECRETARY FIELDS: Mr. Smith?
7	SECRETARY FIELDS: Dr. Jarman?	7	MR. SMITH: Yes.
8	DR. JARMAN: Yes.	8	SECRETARY FIELDS: Mr. Sowers?
9	SECRETARY FIELDS: Mr. Lee?	9	VICE-CHAIRMAN SOWERS: I guess.
10	MR. LEE: Yes.	10	SECRETARY FIELDS: Mr. Winegardner?
11	SECRETARY FIELDS: Ms. Mach?	11	MR. WINEGARDNER: Yes.
12	MS. MACH: Yes.	12	SECRETARY FIELDS: Mr. Duzan?
13	SECRETARY FIELDS: Mr. Matheson?	13	CHAIRMAN DUZAN: Yes.
14	MR. MATHESON: Yes.	14	SECRETARY FIELDS: Motion passed.
15	SECRETARY FIELDS: Dr. Moore?	15	CHAIRMAN DUZAN Okay. Now I'll pass it
16	DR. MOORE: Yes,	16	over to Steve to elect the new chair.
17	SECRETARY FIELDS: Mr. Smith?	17	VICE-CHAIRMAN SOWERS: Yes, I would have a
18	MR. SMITH: Yes.	18	motion made for the chair. Unless there's any
19	SECRETARY FIELDS: Mr. Sowers?	19	objection, I would recommend Brian Duzan as the
20	VICE-CHAIRMAN SOWERS: Yes.	20	chair.
21	SECRETARY FIELDS: Mr. Winegardner?	21	DR. JARMAN: Second.
22	MR. WINEGARDNER: Yes.	22	MS. MACH: Second.
23	SECRETARY FIELDS: Mr. Duzan?	23	SECRETARY FIELDS: Mr. Jarman, he
24	CHAIRMAN DUZAN: Yes.	24	seconded.
25	SECRETARY FIELDS: Motion passed.	25	MS. MACH: Oh, sorry.
1	Page 6 CHAIRMAN DUZAN: Okay, Moving on, we need	1	SECRETARY FIELDS: So I will take a vote?
2	to every year, we have to elect a chair and a	2	CHAIRMAN DUZAN: Yes. Steve's in charge
1	vice-chair. So, the first thing we're going to do	3	right now.
1	is take nominations for the vice-chair. And if	4	SECRETARY FIELDS: Dr. Jarman?
5	anybody else I'd like to I'll name Steve	5	DR. JARMAN: Yes.
1	Sowers.	6	SECRETARY FIELDS: Mr. Lee?
7	MR, WINEGARDNER: Mr. Chairman?	7	MR. LEE: Yes.
8	CHAIRMAN DUZAN: Yes?	В	SECRETARY FIELDS: Ms. Mach?
9	MR. WINEGARDNER: I would like to move	9	MS. MACH: Yes.
10	that we continue the same officers that we had last	10	SECRETARY FIELDS: Mr. Matheson?
1	year.	11	MR. MATHESON: Yes.
12	CHAIRMAN DUZAN: Okay, I think we have to	12	SECRETARY FIELDS: Dr. Moore?
13	do it separately, though. Does anybody yeah. So	13	DR. MOORE: Yes.
1	we'll have to - I guess, then, so Steve Sowers is	14	SECRETARY FIELDS: Mr. Smith?
	the current vice-chair; so I will make a motion to	15	MR. SMITH: Yes.
1	select him, if he's willing.	16	SECRETARY FIELDS: Mr. Sowers?
17	MR. MATHESON: I'll second that.	17	VICE-CHAIRMAN SOWERS: Yes.
18	CHAIRMAN DUZAN: And we have a second.	18	SECRETARY FIELDS: Mr. Winegardner?
19	Any other discussion?	19	MR. WINEGARDNER: Yes.
20	Okay. We'll have a vote.	20	SECRETARY FIELDS: Mr. Duzan?
21	SECRETARY FIELDS: Dr. Jarman?	21	CHAIRMAN DUZAN: Yes.
22	DR. JARMAN: Yes	22	SECRETARY FIELDS: Motion passed.
23	SECRETARY FIELDS: Mr. Lee?	23	CHAIRMAN DUZAN: Okay. We do have a
24	MR. LEE: Yes.	ļ.	couple new members to the council. So if you guys
25	SECRETARY FIELDS: Ms. Mach?		want to kind of state your information, who you are,
_			io tana or state your information, who you alle,

PROFESSIONAL REPORTERS

1 and where you come from, 2 MR. LEE: Yeah. Are you looking at me? 3 CHAIRMAN DUZAN: Yeah. 4 MR. LEE: All right, I'll start us. My 5 name's Eric Lee, I'm the Operations Manager of the 6 City of Tulsa's Water and Sewer Department, been 7 with the City of Tulsa for 27 years. And as I told 8 some of you, I report to the Director of Water and 9 Sewer, and I pretty much do whatever he asks me to 10 do: 11 And so he didn't ask me to do this, 12 but I'm pleased to be here and to serve with the 13 rest of the council members. So, thank you for 14 allowing me to introduce myself. 15 CHAIRMAN DUZAN: Okay. I guess we're 16 going to move on quickly to -- we're basically going 17 through about every chapter in the book. We'll 18 start with 252:730, Oklahoma's Water Quality 19 Standards, and Brian Clagg is going to have some 20 comments. 21 MR. CLAGG: Okay. Thank you, Brian: I'm 22 going to start off with a little bit of 23 introduction, but first, I'm Brian Clagg, I'm an 24 Environmental Programs Manager in the Water Quality 25 Division here at DEQ.

1 And I want to thank the council for 2 being here today. I'm going to give you a brief 3 summary of the rulemaking efforts that we've been 4 going through these past few months. During the 2022 Oklahoma legislative 6 session, two bills were passed by the legislature 7 and signed by the Governor that transfers authority 8 for administering Oklahoma Water Quality Standards 9 from the OWRB to the Department of Environmental 10 Quality. 11 The first bill, Senate Bill No. 1325, 12 amended Oklahoma Statute 27A Section 1-3-101 that 13 describes DEQ's jurisdictional areas of 14 environmental responsibility. Specifically, the 15 bill states, in part, that DEQ will have authority 16 for, "Development and promulgation of Oklahoma Water 17 Quality Standards, their accompanying use support 18 assessment protocols, antidegradation policies 19 generally affecting Oklahoma Water Quality Standards 20 application and implementation including but not 21 limited to mixing zones, low flows and variances or 22 any modification or change thereof pursuant to 23 Section 1085.30 of Title 82 of the Oklahoma 24 Statutes". Section 1085.30 of Title 82, which 25 describes classification of water uses, was amended

Page 9 1 to denote that the DEQ, not the Oklahoma Water 2 Resources Board, is "authorized to promulgate rules 3 to be known as "Oklahoma Water Quality Standards" 4 which establish classifications of uses of water of 5 the state, criteria to maintain and protect such 6 classifications, and other standards or policies pertaining to the quality of such waters". Now, the second bill, House Bill 9 3824, was also passed amending Section 1-3-101 of 10 27A. This amendment gave DEQ jurisdiction for, 11 "adoption of water quality standard variances and 12 site-specific criteria to the extent that such 13 variances and site-specific criteria are utilized in 14 and enforced through water quality permits issued by the Department. Such variances and site-specific 16 criteria may be adopted through rulemaking or through the permitting process; provided that the process satisfies the public participation and water quality standard variance requirements set forth in 20 the corresponding federal regulations". 21 Now, the effective date for these two 22 bills was November 1, 2022. Therefore, in order for 23 the State of Oklahoma to have the authority to 24 promulgate water quality standards and to implement

Page 10

25 water quality standards in our permits, as of Page 12 November 1, 2022, it was necessary that DEQ 2 promulgate two new rules, Chapters 730 and 740, to 3 replace current rules Chapters OAC 785 Chapter 45, 4 titled "Oklahoma's Water Quality Standards", and 5 785:46, titled "Implementation of Oklahoma's Water 6 Quality Standards", that were previously promulgated 7 by the Oklahoma Water Resources Board. At the August 23, 2022 Water Ouality 9 Management Advisory Council meeting, you voted to 10 recommend to the Environmental Quality Board 11 emergency rules. These included the two new rules. 12 Chapters 730 and 740, as well as existing DEQ rules that made reference to Chapters 45 and 46 or else referenced OWRB, not DEQ, as having jurisdictional authority to promulgate Water Quality Standards and to adopt Water Quality Standard Variances. These additional chapters were OAC 252 Chapters 606, 611, 616, 621, 628, 652, 653, 656, and 690. In all, 19 these 11 chapters of emergency rules were presented 20 to the Environmental Quality Board on September 13, 21 2022, at which time the Environmental Quality Board 22 voted to adopt each of the emergency rules. The 23 emergency rules were approved by the Governor on 24 October 25, 2022.

PROFESSIONAL REPORTERS

So, today, in addition to some other

Page 15

1 rulemaking, DEQ plans to present these rules as

- 2 permanent rules. Also, all of these rules were
- 3 discussed at the September 27th Water Quality
- 4 Management Advisory Council meeting. I would also
- 5 like to note that we conducted two informal public
- 6 meetings regarding these proposed rules. One was
- 7 conducted on November 2, 2022, here at the DEQ
- ⁸ office, where we had approximately 13 attendees, and
- 9 the second was conducted on November the 18th, in
- 10 Tulsa, at the Mohawk Water Treatment Plant, where
- 11 approximately six attended.
- 12 Now, up until today, DEQ had not
- 13 received any written public comments during this
- 14 comment period. You will recall that in the
- 15 July 26, 2022 council meeting, a statement was read
- 16 by Mr. Ed Brocksmith, with Save the Illinois River,
- 17 and he provided you copies of his statement. At
- 18 10:43 a.m. today, DEQ received an email from Matthew
- 19 Wright, Chairman of the Conservation Coalition of
- 20 Oklahoma. This email notes concerns regarding
- 21 variances to water quality standards associated with
- 22 the transfer of authority from OWRB to DEQ,
- 23 specifically as variances relate to Scenic Rivers.
- 24 And I should note, this letter that I'm talking
- 25 about and the email are in your binders, they should
- 1 have been in the left cover; so you should be able
- 2 to see the email and the attachment that I'm
- 3 discussing right now. So, continuing, the email
- 4 refers to an attached document, which you also have,
- 5 from Save the Illinois River, titled "Statement on
- 6 Water Quality Variance". This document states
- 7 STIR's objection to the concept of "variances" for
- ⁸ Oklahoma Scenic Rivers and appears to be the same
- 9 statement provided previously by Mr. Brocksmith.
- 10 The email and attachment do not specifically cite
- 11 specific rules, but several of the rules that we
- 12 will discuss today address variances. These include
- 13 Chapter 730, "Oklahoma's Water Quality Standards",
- 14 Chapter 606, "Oklahoma Pollutant Discharge
- 15 Elimination System Standards", and Chapter 690,
- 16 "Water Quality Standards Implementation". As these
- 17 rules are presented to you today, I will point out
- 18 where variances are addressed in these rules.
- 19 Because the legislature has specifically authorized
- 20 DEQ the authority to adopt variances, DEQ staff is
- 21 not recommending any changes to the proposed rules
- 22 based on the email and attachment submitted. And as
- 23 a reminder, all variance requests must go through a
- 24 public participation and EPA review process.
- 25 Okay. So now I would like to begin

- Page 13 1 with our rules. Chapter 730, which is titled
 - 2 "Oklahoma's Water Quality Standards". For permanent
 - 3 rulemaking, DEQ staff is proposing to promulgate
 - 4 this new rule. OAC 252:730 is basically a copy of

 - 5 the OWRB's Chapter 45 and Emergency Rule OAC
 - 6 252:730. In your binders, you will find a tab for
 - 7 Chapter 730 that includes the Notice of Rulemaking
 - 8 Intent, Rule Impact Statement, and proposed rule
 - 9 text. Since this is a new permanent rule all the
 - 10 text is underlined, and please note that any changes
 - 11 from the emergency rule that was promulgated are
 - 12 minor. I would also like to point out a few things
 - 13 in this chapter. First, you will notice that
 - 14 Appendix C is denoted as "Reserved New". The reason
 - 15 for this is in Chapter 45, Appendix C was, at some
 - 16 time, "Revoked". By denoting it as "Reserved New".
 - we do not need to change the alphabetical
 - designation of all the following appendices.
 - Appendix D remains as Appendix D, Appendix E remains
 - 20 as Appendix E, et cetera. This eliminates the need
 - 21 for us to correct citations in other chapters that
 - 22 may have referenced these appendices. Another
 - 23 section I want to bring to your attention is
 - 24 252:730-5-5, titled "Water Quality Standard
 - 25 Variance". This section was changed to remove

Page 14

1 language that read, "OWRB rulemaking and approval is

- 2 required for all water quality standard variances",
- 3 I also want to note in Section 730-5-7 below that,
- 4 the changes were made to denote that DEQ, not the
- 5 Oklahoma Water Resources Board, will review and
- 6 approve detailed workplans related to site-specific
- 7 criteria.
- Another couple of sections that I
- 9 need to comment on are 252:730-5-19 (Aesthetics) and
- 10 252:730-5-25 (Implementation Policies for the
- 11 Antidegradation Policy Statement). During the
- 12 emergency rulemaking process, it was brought to
- 13 DEQ's attention that these sections in the draft
- 14 rules did not reflect the most recent rule changes
- 15 at OWRB. DEQ updated those sections in the
- 16 emergency rules and I want to note that this
- proposed permanent rule also includes those most
- 18 recent changes. Lastly, as was pointed out during
- the emergency rulemaking process, DEQ staff is not
- 20 recommending a change in this proposed permanent
- 21 rule to prohibit variances in any waterbody.
- 22 In conclusion, DEQ is asking the
- 23 council to recommend to the Environmental Quality
- 24 Board this permanent rulemaking for Chapter 730.
- 25 Thank you.

PROFESSIONAL REPORTERS

Page 17 1 CHAIRMAN DUZAN: Thank you, sir. 1 evidence, and then it would be -- have to be 2 Any questions or comments from the ² reviewed and approved by both EPA Region 6, in our 3 council? 3 case, and EPA Headquarters Office of Science and 4 DR. JARMAN: I do have a question. Do the 4 Technology. 5 Scenic Rivers listed in the statement receive So that's kind of what that process 6 special treatment at any place in the standard 6 looks like. So it is possible that there could be proposed, for instance, Outstanding Resource Water? 7 an interim period where it may not be meeting MR. CLAGG: Shellie, you want to take 8 100 percent of the water quality standards, but it 9 that? 9 has to be better than what they're doing right now 10 10 and they have to get to that end point in a short, MS. CHARD: Shellie Chard, I'm the Water 11 Quality Division Director. So, the same language 11 specified period of time. 12 that was in the Water Board rules carried over; so, 12 DR. JARMAN: And that would be created 13 the Scenic Rivers do still have those protections 13 through an open discussion with everyone involved? 14 related to limitations on where there can be added 14 MS. CHARD: Oh, absolutely. There is very 15 discharges or biosolids, all of the protections 15 specific federal public participation requirements 16 remain in place, there was no change to that -- to 16 and then, also, all of the DEQ public participation 17 any of those protections. 17 requirements would also have to be met. And the variance language does not 18 DR. JARMAN: So, as I understand it, it's 19 apply to any one waterbody, it -- this simply allows 19 a pretty daunting challenge for anyone to meet a 20 the State, DEQ, to consider variances should they be 20 variance from the water quality standards? 21 requested, and then they would still have to go 21 MS. CHARD: To obtain a variance? 22 through all of the rulemaking or permitting, public 22 DR. JARMAN: To obtain a variance. 23 participation steps that are required. 23 MS. CHARD: It is a very specified process DR. JARMAN: And as such, they would -- as 24 in federal law, plus then you apply the Oklahoma 25 a Scenic River, designated Scenic River for 25 requirements, statewide requirements and then also Page 18 1 Oklahoma, they would receive protections appropriate 1 the DEQ rulemaking requirements, which is why, in ² for that designation; is that correct? 2 this case, you've seen these rules now four times MS. CHARD: Yes. The variance, it changes 3 and there have been multiple informal public 4 on an interim basis what a specific provision might 4 meetings. There would be something similar to that. 5 be in the water quality standard. So if someone One slight difference is the area 6 proposed an activity that would be an increased 6 that would be affected. Since variances are site 7 discharge, they would have to go through a process 7 specific or waterbody specific, there is a 8 where they could document and show where water 8 requirement that public outreach occur in that area: 9 quality improvements would still be occurring and 9 so, rather than our meetings being in Oklahoma City 10 have a path to meet water quality standards in a 10 and Tulsa, if this were an issue in Altus, then we 11 specified timeframe. 11 would be having those informal meetings in Altus or, 12 It's hard to talk about this one in a 12 potentially, even a formal hearing in Altus as 13 hypothetical just because it is a little bit 13 opposed to the center part of the state. 14 nebulous. What the variance change does is allow 14 DR. JARMAN: Thank you. 15 the State to use the variance process, which has 15 MS. CHARD: You're welcome. 16 been in place in federal law since the Clean Water 16 CHAIRMAN DUZAN: Thank you. 17 Act, but it still would require all of the variance 17 Any other questions or comments from 18 approval steps to be met, which, the three biggest 18 the council? 19 ones are, in a specified timeframe -- I've seen five 19 MS. MACH: I make a motion to approve the 20 to seven years in other states -- that they would 20 rule as presented. 21 meet all the criteria assigned to that waterbody, 21 CHAIRMAN DUZAN: We need to see if there's 22 there would be improving water quality in that 22 any discussion from the public? 23 waterbody in that interim period, and there would be 23 MS. MACH: Sorry. I'm ready to get going. 24 the public participation component to allow all 24 CHAIRMAN DUZAN: We have a lot left. 25 stakeholders to voice their opinions, concerns, 25 MS. CHARD: I'm sorry, Mr. Chairman, if I

1 may, I just want to highlight that the comment 2 received that Mr. Clagg discussed, that we first 3 heard from Mr. Brocksmith in June and then we 4 received the email today, this is one of the 5 chapters where those comments would apply. 6 CHAIRMAN DUZAN: Okay. So noted. 7 If we don't have any questions or 8 comments from the public, I will enterain a motion. 9 MS. MACH: 1'd like to make a motion to 10 approve the rule as presented. 10 CHAIRMAN DUZAN: Do we have a second? 11 MR. MATHESON: Till second it. 12 CHAIRMAN DUZAN: We have a second, we'll 13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vuce. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Ms. Mach? 22 SECRETARY FIELDS: Mr. Matheson? 23 MR. MATHESON: Yes. 24 MR. MATHESON: Mr. Matheson? 25 SECRETARY FIELDS: Mr. Matheson? 26 MR. MATHESON: Mr. Smith? 27 MR. MATHESON: Mr. Clagg? 28 MR. CLE: Yes. 29 SECRETARY FIELDS: Mr. Matheson? 29 MR. MATHESON: Mr. Matheson? 20 MR. MATHESON: Mr. Matheson? 21 MR. MATHESON: Mr. Clagg? 22 SECRETARY FIELDS: Mr. Matheson? 23 MR. MACH: Yes. 24 MR. SMITH: Yes. 25 SECRETARY FIELDS: Mr. Matheson? 26 MR. MATHESON: We have a second, we'll 27 MR. MATHESON: Mr. Clagg? 28 MR. CLE: Yes. 29 SECRETARY FIELDS: Mr. Matheson? 29 MR. MATHESON: Mr. Matheson? 20 MR. MATHESON: We have a second we'll 21 MR. SMITH: Yes. 22 SECRETARY FIELDS: Mr. Matheson? 23 MR. CLE: Yes. 24 MR. CLAGG: Okay. The second rule on the secon	1 mg, I just want to highlight that the comment 2 received that Mr. Clagg discussed, that we first 3 heard from Mr. Brocksmith in June and then we 4 received the email today, this is one of the 5 chapters where those comments would apply, 6 CHAIRMAN DUZAN: Okay. So noted. 7 If we don't have any questions or 8 comments from the public, I will entertain a motion. 9 MS. MACH: 19 like to make a motion to 10 approve the rule as presented. 11 CHAIRMAN DUZAN: Do we have a second, 12 MR. MATHESON: PII second it. 13 CHAIRMAN DUZAN: Do we have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Mr. Lee? 19 SECRETARY FIELDS: Mr. Matheson? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Mr. Matheson? 24 MR. SMITH: Yes. 25 SECRETARY FIELDS: Mr. Matheson? 26 MR. SMITH: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 MR. SMITH: Yes. 29 SECRETARY FIELDS: Mr. Matheson? 20 MR. SMITH: Yes. 20 SECRETARY FIELDS: Mr. Matheson? 21 MR. SMITH: Yes. 22 SECRETARY FIELDS: Mr. Smith? 23 MR. SMITH: Yes. 24 SECRETARY FIELDS: Mr. Smith? 25 MR. WINEGARDNER: Yes. 26 SECRETARY FIELDS: Mr. Smith? 27 MR. WINEGARDNER: Yes. 28 SECRETARY FIELDS: Mr. Winegardner? 29 MR. WINEGARDNER: Yes. 30 SECRETARY FIELDS: Mr. Winegardner? 31 MR. CLaGG: Okay. The second rule on the 32 Agenda is "Implementation of Oklahoma's Water 33 deleting Subchapter 17; which was fitled "OWRB's 4 Water Quality Standards for permanent rulemaking. DEQ 4 Well, since in Chapter 46. 5 Here are proposed changes to the supprendices, as 9 well, since in Chapter 46. 6 Three are proposed changes to the density to propose now to denote it as "Reserved 10 revoked; so we propose now to denote it as "Reserved 10 revoked; so we propose now to denote it as "Reserved 10 revoked; so we propose now to denote it as "Reserved 10 revoked; so we propose now to denote it as "Reserved 10 revoked; so we propose now to denote it as "Reserved 10 revoked; so we propose	1 may, I just want to highlight that the comment 2 received that Mr. Clagg discussed, that we first 3 heard from Mr. Brocksmith in June and then we 4 received the email today, this is one of the 5 chapters where those comments would apply. 6 CHAIRMAN DUZAN: Okay. So noted. 7 If we don't have any questions or 8 comments from the public, I will entertain a motion. 9 MS. MACH: I'd like to make a motion to 10 approve the rule as presented. 11 CHAIRMAN DUZAN: Do we have a second? 12 MR. MATHESON: I'll second it. 13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 25 I also we 26 the DO Criterion of the Water Quality Str. Subchapter 17 is coff the DO Criterion of the DO Criterion	les and are being proposed in this is well. The first of these was ter 17, which was titled "OWRB's andards Implementation Plan". now proposed to be "Implementation
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MS. MACH: Pd like to make a motion to approve the rule as presented. CHAIRMAN DUZAN: Do we have a second? MR. MATHESON: I'll second it. CHAIRMAN DUZAN: We have a second, we'll have a vote. SECRETARY FIELDS: Dr. Jarman? DR. JARMAN: Yes. MR. LEE: Yes. MR. LEE: Yes. MR. LEE: Yes. MR. LEE: Yes. MR. MACH: Yes. MR. MATHESON: YELDS: Mr. Lee? MR. MACH: Yes. MR. MACH: Yes. MR. MACH: Pending and making. DEQ MR. MACH: DS: Mr. Minegardner? MR. MATHESON: Yes. MR. MACH: Yes. MR. MATHESON: Yes. MR. SECRETARY FIELDS: Mr. Matheson? MR. SMITH: Yes. MR. SECRETARY FIELDS: Mr. Smith? MR. SMITH: Yes. MR. SMITH: Yes. MR. SMITH: Yes. MR. SMITH: Yes. MR. SECRETARY FIELDS: Mr. Smith? MR. WINEGARDNER: Yes. MR. WINEGARDNER: Yes. MR. WINEGARDNER: Yes. MR. CLAGG: Okay. The second rule on the MR. CLAGG: Okay. The second	9 well, since in Chapter 46, Appendix A had been 10 revoked; owe propose now to denote it as "Reserved 11 New" again so as not to have to correct references, either in this chapter or others, if we had 12 New" again so as not to have to correct references, either in this chapter or others, if we had 13 relabeled the appendices. Our draft permanent rule also removes Appendix D, which was titled "Summary 15 of Comments on OWRB; Water Quality Standards 16 Implementation Plan". Chapter 740, just like 730, 17 required many of the same edits, such as removing 18 incidents to OWRB, where applicable, and making 19 appropriate references to Chapters 730 and 740. I move on the SECRETARY FIELDS: Mr. Matheson? 21 MR. MATHESON: Yes. 22 SECRETARY FIELDS: Mr. Smith? 22 MR. SMITH: Yes. 32 SECRETARY FIELDS: Mr. Smith? 33 references to certain 24 SECRETARY FIELDS: Mr. Smith? 34 SECRETARY FIELDS: Mr. Sowers? 35 VICE-CHAIRMAN SOWERS; Yes. 36 SECRETARY FIELDS: Mr. Sowers? 37 VICE-CHAIRMAN SOWERS; Yes. 38 SECRETARY FIELDS: Mr. Duzan? 39 CHAIRMAN DUZAN: Yes. 31 SECRETARY FIELDS: Mr. Duzan? 40 SECRETARY FIELDS: Mr. Duzan? 41 Secretary FIELDS: Mr. Duzan? 42 SECRETARY FIELDS: Mr. Duzan? 43 SECRETARY FIELDS: Mr. Duzan? 44 Secretary FIELDS: Mr. Duzan? 45 SECRETARY FIELDS: Mr. Duzan? 46 SECRETARY FIELDS: Mr. Duzan? 47 SECRETARY FIELDS: Mr. Duzan? 47 SECRETARY FIELDS: Mr. Duzan? 48 SECRETARY FIELDS: Mr. Duzan? 49	9 MS. MACH: I'd like to make a motion to 10 approve the rule as presented. 11 CHAIRMAN DUZAN: Do we have a second? 12 MR. MATHESON: I'll second it. 13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 26 well, since in Chair in Cha	
10 approve the rule as presented. 11 CHAIRMAN DUZAN: Do we have a second? 12 MR. MATHESON: Pil second it. 13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Ms. Matheson? 22 MS. MACH: Yes. 23 SECRETARY FIELDS: Ms. Matheson? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Dr. Moore? 26 DR. MOORE: Yes. 27 SECRETARY FIELDS: Ms. Smith? 28 SECRETARY FIELDS: Ms. Smith? 29 SECRETARY FIELDS: Ms. Smith? 20 MR. MATHESON: Yes. 21 SECRETARY FIELDS: Ms. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Ms. Matheson? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Ms. Smith? 26 MR. WINDEGARDNER: Yes. 27 SECRETARY FIELDS: Ms. Smith? 28 SECRETARY FIELDS: Ms. Sowers? 29 VICE-CHAIRMAN SOWERS: Yes. 30 VICE-CHAIRMAN DUZAN: Ves. 31 SECRETARY FIELDS: Ms. Sowers? 42 SECRETARY FIELDS: Ms. Sowers? 43 VICE-CHAIRMAN DUZAN: Ves. 44 SECRETARY FIELDS: Ms. Sowers? 55 CHAIRMAN DUZAN: Ves. 56 SECRETARY FIELDS: Ms. Sowers? 57 CHAIRMAN DUZAN: Ves. 58 SECRETARY FIELDS: Ms. Winegardner? 59 MR. WINEGARDNER: Yes. 50 SECRETARY FIELDS: Ms. Sowers? 51 WCE-CHAIRMAN DUZAN: Ves. 52 SECRETARY FIELDS: Ms. Sowers? 53 VICE-CHAIRMAN SOWERS: Yes. 54 SECRETARY FIELDS: Ms. Sowers? 55 Lastly, as was noted for Chapter 730, 56 during the emergency rulemaking process DEQ was made of the proposing to promulgate this new rule. Its 57 Mr. Clagg? 58 CHAIRMAN DUZAN: Ves going to Mr. Clagg? 59 CHAIRMAN DUZAN: Okay. We're going to Mr. Clagg? 50 MR. CLAGG: Okay. The second rule on the CHAIRMAN Submertation of Oklahoma's Water 59 Wowld is mile text. Since this is new rule. Its 50 Jakenaking Intent, Rule Impact Statement, and 19 Questions or comments from the 20 council? 50 Table Washing Intent, Rule Impact Statement, and 19 Questions or comments from the 20 council? 50 Total that a tab that includes the Notice of 19 Rulemaking Intent, Rule Impact Statement, and 19 Questions or commen	10 approve the rule as presented. 11 CHAIRMAN DUZAN: Do we have a second? 12 MR. MATHESON: I'll second it. 13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jannan? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. AMATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 SECRETARY FIELDS: Mr. Smith? 27 MR. SMITH: Yes. 28 SECRETARY FIELDS: Mr. Smith? 29 SECRETARY FIELDS: Mr. Smith? 20 MR. SECRETARY FIELDS: Mr. Smith? 21 MR. SMITH: Yes. 22 SECRETARY FIELDS: Mr. Smith? 23 SECRETARY FIELDS: Mr. Smith? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 SECRETARY FIELDS: Mr. Smith? 27 SECRETARY FIELDS: Mr. Smith? 28 SECRETARY FIELDS: Mr. Smith? 29 SECRETARY FIELDS: Mr. Smith? 30 SECRETARY FIELDS: Mr. Smith? 40 Laby as was noted for Chapter 740, there were quilt a few worked developed in order to reflect the version of 785 ordered in order to reflect the version o	10 approve the rule as presented. 11 CHAIRMAN DUZAN: Do we have a second? 12 MR. MATHESON: I'll second it. 13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 26 To revoked; so we proposed as the pro	
11 New" again so as not to have to correct references, 12 MR. MATHESON: I'll second it. 13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 19 SECRETARY FIELDS: Ms. Mach? 10 MS. MACH: Yes. 10 MS. MACH: Yes. 11 SECRETARY FIELDS: Ms. Matheson? 12 MR. MATHESON: Yes. 13 SECRETARY FIELDS: Mr. Matheson? 14 MR. MATHESON: Yes. 15 SECRETARY FIELDS: Mr. Matheson? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Matheson? 18 MR. MATHESON: Yes. 19 SECRETARY FIELDS: Mr. Matheson? 20 MR. MATHESON: Yes. 21 SECRETARY FIELDS: Dr. Moore? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Mr. Smith? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 SECRETARY FIELDS: Mr. Sowers? 27 SECRETARY FIELDS: Mr. Sowers? 28 SECRETARY FIELDS: Mr. Sowers? 29 WICE-CHAIRMAN SOWERS: Yes. 20 SECRETARY FIELDS: Mr. Winegardner? 21 MR. WINEGARDNER: Yes. 22 SECRETARY FIELDS: Mr. Winegardner? 23 MR. WINEGARDNER: Yes. 24 SECRETARY FIELDS: Mr. Winegardner? 25 MR. WINEGARDNER: Yes. 26 SECRETARY FIELDS: Mr. Duzan? 27 CHAIRMAN DUZAN: Yes. 28 SECRETARY FIELDS: Mr. Duzan? 29 CHAIRMAN DUZAN: Yes. 30 CHAIRMAN DUZAN: Yes. 40 SECRETARY FIELDS: Mr. Duzan? 51 MR. Clagg? 52 CHAIRMAN DUZAN: Yes. 53 SECRETARY FIELDS: Mr. Duzan? 54 SECRETARY FIELDS: Mr. Duzan? 55 Lastly, as was noted for Chapter 730, 56 during the emergency rulemaking process DEQ was made 57 aware of a section within Chapter 740 that needed to 58 be updated in order to reflect the version of 785 59 Chapter 46 on the Oklahoma's Water 50 propose is to replace the OWRB's Rule 785 Chapter 46 51 quality Standards". For permanent rulemaking, DEQ 51 staff is proposing to promulgate this new rule. Its 51 purpose is to replace the OWRB's Rule 785 Chapter 46 51 quality Standards". For permanent rulemaking, DEQ 51 staff is proposing to promulgate this new vule. Its 51 purpose is to replace the OWRB's Rule 785 Chapter 46 51 quality Standards". For permanent rulemaki	LI CHAIRMAN DUZAN: Do we have a second? MR. MATHESON: I'll second it. CHAIRMAN DUZAN: We have a second, we'll Abave a vote. DR. JARMAN: Yes. SECRETARY FIELDS: Dr. Jarman? DR. JARMAN: Yes. SECRETARY FIELDS: Mr. Lee? MR. LEE: Yes. MR. LEE: Yes. SECRETARY FIELDS: Mr. Matheson? MR. MATHESON: Yes. SECRETARY FIELDS: Mr. Matheson? MR. MATHESON: Yes. SECRETARY FIELDS: Dr. Moore? MR. MATHESON: Yes. SECRETARY FIELDS: Mr. Smith? MR. SMITH: Yes. MR. SMITH: Yes. SECRETARY FIELDS: Mr. Smith? MR. WINEGARDNER: Yes. SECRETARY FIELDS: Mr. Winegardner? MR. WINEGARDNER: Yes. SECRETARY FIELDS: Mr. Duzan? CHAIRMAN DUZAN: Yes. SECRETARY FIELDS: Mr. Duzan? CHAIRMAN DUZAN: Yes. SECRETARY FIELDS: Mr. Duzan? CHAIRMAN DUZAN: Okay. We're going to move on to 252:740. MR. CLAGG: Okay. The second rule on the last Agenda is "Implementation of Oklahoma's Water Quality Standards". For permanent rulemaking, DEQ to stair is proposing to promulgate this new rule. Its purpose is to replace the OWRB's Rule 785 Chapter 46 Quality Standards". For permanent rulemaking, DEQ to stair is proposing to promulgate this new rule. Its purpose is to replace the OWRB's Rule 785 Chapter 46 Quality Standards". For permanent rulemaking, Deace Quality Standards and where permanent rulemaking for Chapter 1740. Thanks. MR. Will find a tab that includes the Notice of 19 Rulemaking Intent, Rule Impact Statement, and 20 proposed rule text. Since this is a new permanent rule all the text is underlined, and again, please Quality Sundards are minor. MR. CLAGG: Okay. The second rule on the 19 Rulemaking Intent, Rule Impact Statement, and 20 proposed rule text. Since this is a new permanent rule all the text is underlined, and again, please Quality Board this permanent rulemaking for Chapter 1740. Thanks. MR. Will find a tab that includes the Notice of 19 Rulemaking Intent, Rule Impact Statement, and 20 proposed rule text. Since this is a new permanent 19 Questions or comments from the 21 public? MR. Will find a tab that includes the Notice of	11 CHAIRMAN DUZAN: Do we have a second? 12 MR. MATHESON: I'll second it. 13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 26 Ill New" again so as 12 either in this chap 13 relabeled the appearance in the second of the seco	
13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 15 DR. JARMAN: Yes. 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 MR. SMITH: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 SECRETARY FIELDS: Mr. Smith? 29 MR. SMITH: Yes. 20 MR. SMITH: Yes. 21 MR. SMITH: Yes. 22 SECRETARY FIELDS: Mr. Smith? 23 MR. WINEGARDNER: Yes. 24 DR. Moore: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 MR. WINEGARDNER: Yes. 27 SECRETARY FIELDS: Mr. Winegardner? 28 MR. WINEGARDNER: Yes. 29 SECRETARY FIELDS: Mr. Winegardner? 30 VICE-CHAIRMAN SOWERS: Yes. 41 SECRETARY FIELDS: Mr. Duzan? 42 LAISON where neplicable, and making oit in the worked of through Chapter 740, there were quite a few orked of through Chapter 740, there were quite a few orked of the proposed class where necessary, to make sure that they have changed of Chapter 750, deuring the emergency rulemaking process DEQ was made of website. This required updating 252:740-15-12, deuring the emergency rulemaking process DEQ was made of the Mr. Chagg? 18 MR. CLAGG: Okay. The second rule on the purpose is to replace the OWRB's Rule 785 Chapter 46 on the Oklahoma Administrative Rules of purpose is to replace the OWRB's Rule 785 Chapter 46 17 and Emergency Rule OAC 252:740. In your binders, last on the last includes the Notice of proposed rule text. Since this is a new permanent rule and in proposed rule text. Since this is a new permanent rule and proposed rule text. Since this is a new permanent rule and proposed rule text. Since this is a new permanent rule will be proposed rule text. Since this is a new permanent rule will be proposed rule text. Since this is a new permanent rule text. Since this is a new permanent rule will be proposed rule text. Since this is a new permanent rule will be proposed rule text. Since this is a new permanent rule wil	the first of the permanent rule 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 1 MR. SMITH: Yes. 2 SECRETARY FIELDS: Mr. Smith? 1 MR. SMITH: Yes. 2 SECRETARY FIELDS: Mr. Sowers? 3 VICE-CHAIRMAN SOWERS: Yes. 4 SECRETARY FIELDS: Mr. Winegardner? 5 MR. WINEGARDNER: Yes. 6 SECRETARY FIELDS: Mr. Duzan? 7 CHAIRMAN DUZAN: Yes. 8 SECRETARY FIELDS: Motion passed. 9 CHAIRMAN DUZAN: We're going to 10 move on to 252:740. 11 Mr. Clagg? 12 MR. CLAGG: Okay. The second rule on the 13 Agenda is "Implementation of Oklahoma's Water 14 Quality Standards". For permanent rulemaking, DEQ 15 staff is proposing to promulgate this new rule. Its 16 Implementation Plan". Chapter 740, just like 730, 17 required many of the same edits, such as removing 18 citations to OWRB, where applicable, and making 19 appropriate references to Chapters 730 and 740, 1 20 would also like to note that the proposed Chapter 17 40 contains multiple references to certain 22 "support" and "references" documents and, where DEQ 23 has been able, these have been updated or verified. 24 Lalso want to note that as we worked 25 through Chapter 740, there were quite a few 26 through Chapter 740, there were quite a few 27 through Chapter 740, there were quite a few 28 through Chapter 740, there were quite a few 29 through Chapter 740, there were leaded to the proposed Chapter 20 well as the see have been updated or verified. 21 "Revoked" sections that were removed, which required 22 "support" and "references" documents and, where DEQ 23 through Chapter 740, there were quite a few 24 through Chapter 740, there were quite a few 25 through Chapter 740, there were quite a few 26 through Chapter 740, there were quite a few 27 through Chapt	CHAIRMAN DUZAN: We have a second, we'll have a vote. SECRETARY FIELDS: Dr. Jarman? DR. JARMAN: Yes. MR. LEE: Yes. MR. LEE: Yes. SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes. SECRETARY FIELDS: Mr. Matheson? MR. MATHESON: Yes. SECRETARY FIELDS: Dr. Moore? MR. MOORE: Yes. Lalso verification in this chapped also removes Applead to the apped also removes Applead also removes Applea	
13 relabeled the appendices. Our draft permanent rule 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Mr. Matheson? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 MR. SMITH: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 SECRETARY FIELDS: Mr. Smith? 29 MR. MATHESON: Yes. 20 MR. MATHESON: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Mr. Smith? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 MR. SMITH: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 SECRETARY FIELDS: Mr. Smith? 29 WICE-CHAIRMAN SOWERS: Yes. 30 SECRETARY FIELDS: Mr. Smoths? 31 VICE-CHAIRMAN SOWERS: Yes. 42 SECRETARY FIELDS: Mr. Smith? 43 SECRETARY FIELDS: Mr. Smoths? 44 SECRETARY FIELDS: Mr. Smith? 55 MR. WINEGARDNER: Yes. 56 SECRETARY FIELDS: Mr. Duzan? 57 CHAIRMAN DUZAN: Yes. 58 SECRETARY FIELDS: Mr. Duzan? 59 CHAIRMAN DUZAN: Yes. 69 SECRETARY FIELDS: Mr. Duzan? 60 Guring the emergency rulemaking process DEQ was made 61 during the emergency rulemaking process DEQ was made 62 CHAIRMAN DUZAN: Okay. We're going to 63 MR. Clagg? 64 MR. Clagg? 65 CHAIRMAN DUZAN: Okay. We're going to 66 Muring the emergency rulemaking process DEQ was made 77 ware of a section within Chapter 740 that needed to 78 Mr. Clagg? 78 CLAGG: Okay. The second rule on the 79 CLAGG: Okay. The second rule on the 79 Cupulity Standards". For permanent rulemaking, DEQ 70 MR. Clagg? 70 CHAIRMAN DUZAN: Okay. We're going to 71 Mr. Clagg? 71 Mr. Clagg? 72 MR. Clagg: Okay. The second rule on the 73 Agenda is "Implementation of Oklahoma's Water 74 Quality Standards". For permanent rulemaking, DEQ 75 saiff is proposing to promulgate this new rule. Its 76 purpose is to replace the OWRB's Rule 785 Chapter 46 78 and Emergency Rule OAC 252:740. In your binders, 79 que will find a tab that includes the Notice of 79 Rulemaking Intent, Rule Impact Statement, and 79 propo	CHAIRMAN DUZAN: We have a second, we'll have a vote. Name a vote. DR. JARMAN: Yes. MR. LEE: Yes. MR. LEE: Yes. MR. MACH: Yes. MR. MACH: Yes. MR. MATHESON: Yes. MR. MATHESON: Yes. MR. MOORE: Yes. MR. MATHESON: Mr. SeicreTARY FIELDS: Mr. Matheson? MR. MATHESON: Yes. MR. MOORE: Yes. MR. MININGARDNER: Yes. MR. SMITH: Yes. MR. SMITH: Yes. MR. SMITH: Yes. MR. WININGARDNER: Yes. MR. CLAGG: Okay. The second rule on the mather on the common of the same edits, such as removing 1 implementation of Okahoma's Water Quality Standards''. For permanent rulemaking, DEQ 1 imide and bination of Okahoma's Water Quality Standards''. For permanent rulemaking. DEQ 1 staff is proposing to promulgate this new rule. Its purpose is to replace the OWRB's Water Packed in Packed in order to reflect the version of 785 chapter 46 made 1 purpose is to replace the OWRB's Water Packed in Packed in Making 1 proposed Chapter 740, word that were removed, which required 2 renumbering of sections. We have changed 2 renumbering of sections within Chapter 730, deuring the emergency rulemaking process DEQ was made 2 renumbering of sections within Chapter 740 that needed to be updated in order to reflect the version of 785 be updated in order to reflect the version of 785 object the most recent changes to Chapter 46 made 13 Agenda is "Implementation of Oklahoma's Water Quality Standards". For permanent rulemaking, DEQ 1 titled "Assessment of Aesthetics Support", to reflect the most recent changes to Chapter 46 made 14 by the OWRB. MR. CLAGG: Okay. The second rule on the 15 saking the council to recommend to the Environmental 16 Quality Board this permanent rulemaking for Chapter 7740. Thanks. CHAIRMAN DUZAN: Thank you. Questions or	13 CHAIRMAN DUZAN: We have a second, we'll 14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 26 Is relabeled the appear also removes Appear and selected the appear and selected the appear also removes Appear also	oter or others, if we had
14 also removes Appendix D, which was titled "Summary 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MACH: Yes. 23 SECRETARY FIELDS: Mr. Matheson? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 MR. SMITH: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 SECRETARY FIELDS: Mr. Smith? 29 MR. SMITH: Yes. 20 MR. SMITH: Yes. 21 MR. SMITH: Yes. 22 SECRETARY FIELDS: Mr. Smith? 23 SECRETARY FIELDS: Mr. Smith? 24 DR. MR. SMITH: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 MR. WINEGARDNER: Yes. 27 SECRETARY FIELDS: Mr. Winegardner? 28 SECRETARY FIELDS: Mr. Winegardner? 29 MR. WINEGARDNER: Yes. 20 SECRETARY FIELDS: Mr. Duzan? 20 MS. Willed Machabout Notion passed. 30 VICE-CHAIRMAN DUZAN: Yes. 40 SECRETARY FIELDS: Mr. Duzan? 41 Mr. Clagg? 42 CHAIRMAN DUZAN: Okay. We're going to move on to 252:740. 43 Agenda is "Implementation of Oklahoma's Water 44 Quality Standards". For permanent rulemaking, DEQ 45 Indig the emergency rulemaking process DEQ was made 46 Open propose is to replace the OWRB's Rule 785 Chapter 46 47 and Emergency Rule OAC 252:740. In your binders, 18 you will find a tab that includes the Notice of proposed rule text. Since this is a new permanent 12 cule all the text is underlined, and again, please 22 note that any changes from the emergency rule that 40 proposed rule text. Since this is a new permanent 20 cuncil? 41 Questions or comments from the 20 cuncil? 42 Questions or comments from the 20 cuncil? 43 Questions or comments from the 20 cuncil?	14 also removes Appendix D, which was titled "Summary 15 SECRETARY FIELDS: Mr. Lee? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 MR. SMITH: Yes. 27 SECRETARY FIELDS: Mr. Sowers? 28 SECRETARY FIELDS: Mr. Sowers? 29 MR. SMITH: Yes. 20 MR. SMITH: Yes. 21 MR. SMITH: Yes. 22 SECRETARY FIELDS: Mr. Mitheson? 23 SECRETARY FIELDS: Mr. Sowers? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Sowers? 26 SECRETARY FIELDS: Mr. Sowers? 27 Through Chapter 740, there were quite a few 28 SECRETARY FIELDS: Mr. Sowers? 3 VICE-CHAIRMAN SOWERS: Yes. 4 SECRETARY FIELDS: Mr. Winegardner? 5 MR. WINEGARDNER: Yes. 6 SECRETARY FIELDS: Mr. Duzan? 6 SECRETARY FIELDS: Mr. Winegardner? 7 CHAIRMAN DUZAN: Yes. 8 SECRETARY FIELDS: Mr. Winegardner? 9 CHAIRMAN DUZAN: Okay. We're going to 10 move on to 252:740. 11 Mr. Clagg? 12 MR. CLAGG: Okay. The second rule on the 13 Agenda is "Implementation of Oklahoma's Water 14 Quality Standards". For permanent rulemaking, DEQ 15 staff is proposing to promulgate this new rule. Its 16 pumpose is to replace the OWRB's Rule Rs Chapter 46 17 and Emergency Rule OAC 252:740. In your binders, 18 you will find a tab that includes the Notice of 19 Rulemaking Intent, Rule Impact Statement, and 20 proposed rule text. Since this is a new permanent 17 rule all the text is underlined, and again, please 21 note that any changes from the emergency rule that 22 note that any changes from the emergency rule that 23 was promulgated are minor. 14 also removes Appendix of the same edits, such as removing 16 citations to OWRB's water capulite decitations to OWRB's water day the sentending of the set and waking 140. In your binders, 18 you will find a tab that includes the Notice of 19 Rulemaking Intent, Rule Impact Statement, and 20 proposed rule text. Since this is a new permanent 21 rule all the text is underlined, and a	14 have a vote. 15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 24 I also removes Appropriate of Comments on C	
15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 DR. MOORE: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 SECRETARY FIELDS: Mr. Smith? 29 SECRETARY FIELDS: Mr. Smith? 20 DR. MOORE: Yes. 21 SECRETARY FIELDS: Mr. Smith? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Mr. Smith? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 DR. MOORE: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 SECRETARY FIELDS: Mr. Swors? 29 SECRETARY FIELDS: Mr. Swors? 20 SECRETARY FIELDS: Mr. Swors? 21 MR. SMITH: Yes. 22 SECRETARY FIELDS: Mr. Winegardner? 23 MR. WINEGARDNER: Yes. 24 DR. Winegardner? 25 MR. WINEGARDNER: Yes. 26 SECRETARY FIELDS: Mr. Duzan? 27 CHAIRMAN DUZAN: Yes. 28 SECRETARY FIELDS: Mr. Unzan? 29 CHAIRMAN DUZAN: Okay. We're going to move on to 252:740. 30 MR. CLAGG: Okay. The second rule on the staff is proposing to promulgate this new rule. Its purpose is to replace the OWRB's Rule 785 Chapter 46 31 Agenda is "Implementation of Oklahoma's Water and Emergency Rule OAC 252:740. In your binders, and Emergency Rule OAC 252:740. In your binders, and Emergency Rule OAC 252:740. In your binders, and proposed rule text. Since this is a new permanent 20 proposed rule text. Since this is a new permanent 20 proposed rule text. Since this is a new permanent 20 questions or comments from the 20 questions or	15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 MR. SMITH: Yes. 27 SECRETARY FIELDS: Mr. Sowers? 3 VICE-CHAIRMAN SOWERS: Yes. 4 SECRETARY FIELDS: Mr. Winegardner? 5 MR. WINEGARDNER: Yes. 5 SECRETARY FIELDS: Mr. Duzan? 6 SECRETARY FIELDS: Mr. Duzan? 7 CHAIRMAN DUZAN: Yes. 8 SECRETARY FIELDS: Mr. Duzan? 7 CHAIRMAN DUZAN: Yes. 8 SECRETARY FIELDS: Mr. Winegardner? 9 CHAIRMAN DUZAN: Okay. We're going to more on to 252:740. 10 move on to 252:740. 11 Mr. Clagg? 12 MR. CLAGG: Okay. The second rule on the family Standards. For permanent rulemaking, DEQ to make making intent, Rule Impact Statement, and purpose is to replace the OWRB's Rule 785 Chapter 46 and the more recent changes to Chapter 16 Quality Standards. For permanent rulemaking, DEQ to make making intent, Rule Impact Statement, and purpose of the exit is underlined, and again, please 23 Okay. Then I'll entertain a motion.	15 SECRETARY FIELDS: Dr. Jarman? 16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 25 Of Comments on the Implementation Properties of Comments on the Implementati	
16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Mr. Matheson? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 DR. MOORE: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 SECRETARY FIELDS: Mr. Smith? 29 Through Chapter 740, there were quite a few Worked 29 SECRETARY FIELDS: Mr. Sowers? 20 SECRETARY FIELDS: Mr. Sowers? 21 Through Chapter 740, there were quite a few Worked 22 Tenumbering of sections. We have changed 23 SECRETARY FIELDS: Mr. Sowers? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Sowers? 26 SECRETARY FIELDS: Mr. Winegardner? 27 CHAIRMAN SOWERS: Yes. 28 SECRETARY FIELDS: Mr. Duzan? 29 CHAIRMAN DUZAN: Yes. 29 SECRETARY FIELDS: Mr. Duzan? 30 VICE-CHAIRMAN DUZAN: Yes. 31 Teferences, where necessary, to make sure that they 4 have been updated. 4 have been updated. 5 MR. WINEGARDNER: Yes. 6 SECRETARY FIELDS: Mr. Duzan? 7 CHAIRMAN DUZAN: Yes. 8 SECRETARY FIELDS: Mr. Duzan? 9 CHAIRMAN DUZAN: Okay. We're going to 10 move on to 252:740. 11 Mr. Clagg? 11 (titled "Assessment of Aesthetics Support", to 12 reflect the most recent changes to Chapter 46 made 13 Agenda is "Implementation of Oklahoma's Water 14 Quality Standards". For permanent rulemaking, DEQ 15 staff is proposing to promulgate this new rule. Its 16 purpose is to replace the OWRB's Rule 785 Chapter 46 17 and Emergency Rule OAC 252:740. In your binders, 18 purpose is to replace the OWRB's Rule 785 Chapter 46 19 Rulemaking Intent, Rule Impact Statement, and 19 Rulemaking Intent, Rule Impact Statement, and 20 proposed rule text. Since this is a new permanent 21 Questions or comments from the 22 public?	16 Implementation Plan". Chapter 740, just like 730, 17 required many of the same edits, such as removing 18 mR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Mr. Matheson? 24 DR. MOORE: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 DR. MOORE: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 SECRETARY FIELDS: Mr. Smith? 29 MR. SMITH: Yes. 20 SECRETARY FIELDS: Mr. Sowers? 30 VICE-CHAIRMAN SOWERS: Yes. 40 SECRETARY FIELDS: Mr. Winegardner? 51 MR. WINEGARDNER: Yes. 52 SECRETARY FIELDS: Mr. Winegardner? 53 WICE-CHAIRMAN DUZAN: Yes. 64 SECRETARY FIELDS: Mr. Duzan? 65 SECRETARY FIELDS: Mr. Duzan? 66 Using the emergency rolemaking process DEQ was made 67 CHAIRMAN DUZAN: Okay. We're going to move on to 252:740. 68 SECRETARY FIELDS: Motion passed. 69 CHAIRMAN DUZAN: Okay. We're going to move on to 252:740. 60 move on to 252:740. 61 MR. CLAGG: Okay. The second rule on the 13 Agenda is "Implementation of Oklahoma's Water of and Emergency Rule OAC 252:740. In your binders, and Emergency Rule OAC 252:740. In your binders, and Emergency Rule OAC 252:740. In your binders, and 9 would also like to note that at the proposed Chapter 740 contains multiple references to Certain would also like to note that the proposed Chapter 20 mote that as we worked 22 "support" and "reference" documents and, where DEQ 23 has been able, these have been updated or verified. 24 I also want to note that as we worked 25 through Chapter 740, there were quite a few 25 through Chapter 740, there were quite a few 26 through Chapter 740, there were quite a few 27 references, where necessary, to make sure that they have been updated. 25 Lastly, as was noted for Chapter 730, 6 during the emergency rolemaking process DEQ was made 27 ware of a section within Chapter 740 that neceded to 28 be updated in order to reflect the version of 785 be been placed to within Chapter 740 that neceded to 29 bedated in order to reflect the version of 785 be been placed to within Chapter 740. The ma	16 DR. JARMAN: Yes. 17 SECRETARY FIELDS: Mr. Lee? 18 MR. LEE: Yes. 19 SECRETARY FIELDS: Ms. Mach? 20 MS. MACH: Yes. 21 SECRETARY FIELDS: Mr. Matheson? 22 MR. MATHESON: Yes. 23 SECRETARY FIELDS: Dr. Moore? 24 DR. MOORE: Yes. 26 Implementation P 17 required many of 18 citations to OWR 19 appropriate reference 20 would also like to 21 740 contains multiple part of the part of th	· ·
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	10 No.		
1	Page 25 CHAIRMAN DUZAN: We have a motion and a	1	reports were submitted to respective EPA regional
2	second, we'll have a vote.	2	offices, but with the technical amendment, EPA now
3	SECRETARY FIELDS: Dr. Jarman?	3	requires reports be submitted to the appropriate EPA
4	DR. JARMAN: Yes.	4	Headquarters office. The amendment also corrected a
5	SECRETARY FIELDS: Mr. Lee?	5	typographical error, corrected citations within the
6	MR. LEE: Yes.	6	section, and amended the listed authority. We
7	SECRETARY FIELDS: Ms. Mach?		incorporate by reference this section of 40 CFR
В	MS. MACH: Yes.	В	because of spill prevention, response and reporting
9	SECRETARY FIELDS: Mr. Matheson?		requirements specified in some of our permits.
10	MR. MATHESON: Yes.	10	So, from a review of the proposed
11	SECRETARY FIELDS: Dr. Moore?	11	rule text, the council can see that the proposed
12	DR. MOORE: Yes.	1	updates affect Subchapter 1 (Introduction),
13	SECRETARY FIELDS: Mr. Smith?	ı	Subchapter 3 (Discharge Permitting Process for
14	MR. SMITH: Yes.		Individual and General Discharge Permits),
15	SECRETARY FIELDS: Mr. Sowers?		Subchapter 5 (Discharge Permit Requirements), and
16	VICE-CHAIRMAN SOWERS: Yes.		Subchapter 8 (Biosolids Requirements).
17	SECRETARY FIELDS: Mr. Winegardner?	17	In conclusion, DEQ staff is asking
18	MR. WINEGARDNER: Yes.	18	the council to recommend to the Environmental
19	SECRETARY FIELDS: Mr. Duzan?	19	Quality Board this permanent rulemaking for Chapter
20	CHAIRMAN DUZAN: Yes.	20	606. Thank you.
21	SECRETARY FIELDS: Motion passed.	21	CHAIRMAN DUZAN: Thank you, sir.
22	CHAIRMAN DUZAN: Okay. Moving on to	22	Questions or comments from the
23 ;	252:606.	23	council?
24	Mr. Clagg?	24	Questions or comments from the
25	MR. CLAGG: Okay. Chapter 606 is	25	public?
1	Page 26 "Oklahoma Pollutant Discharge Elimination System"	1	MS. CHARD: Mr. Chair, I would just point
	Standards". For permanent rulemaking, DEQ staff is	2	out that, again, this is a chapter that the
	proposing updates to this chapter that include those	ı	statement that was originally submitted by
1	made during the emergency rulemaking process which	1	Mr. Brocksmith in June and submitted by email by
	consisted of changing references from Chapter 45 to	ı	Mr. Wright would also apply to this chapter.
1	Chapter 730, from Chapter 46 to 740, and references,	6	CHAIRMAN DUZAN: Okay. Duly noted.
	where applicable, to DEQ instead of the Oklahoma	7	Any other questions or comments from
	Water Resources Board. We would also like to note	8	the public?
1	that, just as was done in the emergency rulemaking,	9	Then we will entertain a motion.
	that Subchapter 5, specifically 606-5-4, states that	10	MR. SMITH: Motion to approve.
	approval for variances allowed pursuant to the	11	MR. MATHESON: I'll second it.
1	Oklahoma Water Quality Standards must be obtained	12	CHAIRMAN DUZAN: We have a motion and a
	directly from DEQ, not the Oklahoma Water Resources	13	second, we'll have a vote.
	Board. So Chapter 606 is another one of our	14	SECRETARY FIELDS: Dr. Jarman?
	chapters that addresses the variances.	15	DR. JARMAN: Yes.
16	DEQ staff is also proposing an update	16	SECRETARY FIELDS: Mr. Lee?
17	of the federal rules incorporated by reference from	17	MR. LEE: Yes.
1	July 19, 2021 to July 1, 2022. The final regulatory	18	SECRETARY FIELDS: Ms. Mach?
1	change consisted of a technical amendment to modify	19	MS. MACH: Yes.
1	the submission location for Continuous Release	20	SECRETARY FIELDS: Mr. Matheson?
1	Reports subject to the Comprehensive Environmental	21	MR. MATHESON: Yes.
1	Response, Compensation, and Liability Act. 1 think,	22	SECRETARY FIELDS: Dr. Moore?
	in your Agenda the acronym for Continuous Release	23	DR. MOORE: Yes.
	Reports, I think I had "CCRs" in there and that	24	SECRETARY FIELDS: Mr. Smith?
	should be CRR, so just to point that out. So, these	25	MR. SMITH: Yes.
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1	SECRETARY FIELDS: Mr. Sowers?	1	SECRETARY FIELDS: Dr. Moore? Page 31
2	VICE-CHAIRMAN SOWERS: Yes.	2	DR. MOORE: Yes.
3	SECRETARY FIELDS: Mr. Winegardner?	3	SECRETARY FIELDS: Mr. Smith?
4	MR. WINEGARDNER: Yes.	4	MR. SMITH: Yes.
5	SECRETARY FIELDS: Mr. Duzan?	5	SECRETARY FIELDS: Mr. Sowers?
6	CHAIRMAN DUZAN: Yes.	6	VICE-CHAIRMAN SOWERS: Yes.
7	SECRETARY FIELDS: Motion passed.	7	SECRETARY FIELDS: Mr. Winegardner?
8	CHAIRMAN DUZAN: Okay. Moving on to	-8	MR. WINEGARDNER: Yes.
9	252:611.	9	SECRETARY FIELDS: Mr. Duzan?
10	Brian?	10	CHAIRMAN DUZAN: Yes.
11	MR. CLAGG: Thank you. Chapter 611 is	11	SECRETARY FIELDS: Motion passed.
12	"General Water Quality". For permanent rulemaking,	12	CHAIRMAN DUZAN: Okay. Now we're on to
13	DEQ staff is proposing updates to this chapter that	13	252:616, "Industrial Wastewater Systems".
14	include those made during the emergency rulemaking	14	MR. CLAGG: Okay. For permanent
15	process. These include ensuring that a reference is	15	rulemaking, DEQ staff is proposing updates to this
16	made to OAC 252:730 and that a reference to OWRB's	16	chapter that include those made during the emergency
17	authority for administering Oklahoma's Water Quality	17	rulemaking process. These include ensuring that a
18	Standards is updated to denote DEQ as now having	18	reference is made to OAC 252:730 and that a
19	this authority. In addition to these changes, a	19	reference to Oklahoma Water Resources Board's
20	group of definitions titled "Supplemental	20	authority for administering Oklahoma Water Quality
21	Information, Glossary of Terms", located at the very	21	1.00
22	end of the rule, have been consolidated with the	22	this authority. From a review of the proposed rule
23	list of definitions at the beginning of the chapter		text, the council can see that the proposed updates
24	to conform with the way definitions and terms are		affect Subchapter 1 (Introduction), Subchapter 9
	referenced in DEQ's other rules. From a review of		(Tank System Standards), and Subchapter 11 (Land
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Ι,	Page 30	Ι.	Page 32
	the proposed rule text, the council can see that the	ı	Application Standards).
2	the proposed rule text, the council can see that the proposed updates only affect Subchapter 1 (General	2	Application Standards). In conclusion, DEQ staff is asking
3	the proposed rule text, the council can see that the proposed updates only affect Subchapter 1 (General Provisions).	2	Application Standards). In conclusion, DEQ staff is asking the council to recommend to the Environmental
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2 3 4 5	the proposed rule text, the council can see that the proposed updates only affect Subchapter 1 (General Provisions). In conclusion, DEQ staff is asking the council to recommend to the Environmental	2 3 4 5	Application Standards). In conclusion, DEQ staff is asking the council to recommend to the Environmental Quality Board this permanent rulemaking for Chapter 616.
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1	MR. SMITH: Yes.	1	690? Page 35
2	SECRETARY FIELDS: Mr. Sowers?	2	MR. LEE: Yes, sir.
3	VICE-CHAIRMAN SOWERS: Yes.	3	MR. CLAGG: That I am not sure about at
4	SECRETARY FIELDS: Mr. Winegardner?	4	the moment, I would have to check that. That was
5	MR. WINEGARDNER: Yes.	ľ	not one of the items that we had changed for this
6	SECRETARY FIELDS: Mr. Duzan?	ı	rulemaking; so I probably need to check on that and
7	CHAIRMAN DUZAN: Yes.	ı	see and look at that, but
8	SECRETARY FIELDS: Motion passed.	8	MR. LEE: Yeah, might just be a
9	CHAIRMAN DUZAN: Okay. Moving on to	9	scrivener's error on where the reference is.
10	252:621, "Non-Industrial Discharging and Public	10	I don't know, is he able to adjust
	Water Supply Lagoons".	11	that based on his review after this?
12	Mr. Clagg?	12	MS. EBERLE: It would have to be changed
13	MR. CLAGG: Okay, For permanent	13	in the next rulemaking.
14	rulemaking, DEQ staff is proposing updates to this	14	MR. LEE: Okay. Thank you much.
1	chapter that include those made during the emergency	15	CHAIRMAN DUZAN: Okay. Any other
1	rulemaking process. This will consist of ensuring a	l	questions or comments from the council?
1	reference is made to OAC 252:730 and changing a	17	Questions or comments from the
1	reference from OWRB to DEQ in the definition of		public?
1	"Oklahoma's Water Quality Standards". From a review	19	Then I'll entertain a motion.
	of the proposed rule text, the council can see that	20	MR. LEE: Motion to approve.
1	the proposed updates only affect Subchapter 1	21	MS. MACH: Second.
	(General Provisions).	22	CHAIRMAN DUZAN: We have a motion and a
23	In conclusion, DEQ staff is asking		second, we'll have a vote.
1	the council to recommend to the Environmental	24	
1	Quality Board this permanent rulemaking for Chapter	25	SECRETARY FIELDS: Dr. Jarman?
23	Page 34	23	DR. JARMAN: Yes.
1	621.	1	SECRETARY FIELDS: Mr. Lce?
2	CHAIRMAN DUZAN; Okay. Thank you.	2	MR. LEE: Yes.
3	Questions or comments from the	3	SECRETARY FIELDS: Ms. Mach?
4	council?	4	MS. MACH: Yes.
5	MR. LEE: Yeah, Mr. Chair, got a question.	5	SECRETARY FIELDS: Mr. Matheson?
6	Mr. Clagg, on the definition for	6	MR. MATHESON: Yes.
7	"Point source", it says, "shall have the meaning	7	SECRETARY FIELDS: Dr. Moore?
8	assigned to that term in OAC 252:606". Now, I know	8	DR. MOORE: Yes.
9	this probably wasn't one of the things that you were	9	SECRETARY FIELDS: Mr. Smith?
10	looking at to make this change, but I was curious,	10	MR. SMITH: Yes.
11	is that in 606 or is that in 690?	11	SECRETARY FIELDS: Mr. Sowers?
12	MR. CLAGG: Now, where is this? Is this	12	VICE-CHAIRMAN SOWERS: Yes.
13	in the draft text?	13	SECRETARY FIELDS: Mr. Winegardner?
14	MR. LEE: Yeah.	14	MR. WINEGARDNER: Yes.
15	MR. CLAGG: I don't have that in front of	15	SECRETARY FIELDS: Mr. Duzan?
16	me.	16	CHAIRMAN DUZAN: Yes.
17	MR. LEE: I think there's three references	17	SECRETARY FIELDS: Motion passed.
18	in 606 to "point source", and based on this, it	18	CHAIRMAN DUZAN: Okay. 252:626, "Public
	says, "shall have the meaning assigned". So I	19	Water Supply Construction Standards".
20	noticed that in 690, it's the actual definition, and	20	Mr. Clagg?
1	so I didn't know if the definition and meaning are	21	MR. CLAGG: Okay. Finally a change, we're
	two different things. Sorry to throw you off your	22	not talking about one of the emergency rules that
	game.	ł	we've done, as well. So on this one, this is
24	MR. CLAGG: Oh, no, that's fine. So	ı	"Public Water Supply Construction Standards". As I
25	the question is, does that reference back to 606 or	ı	just said, this rule is not one of the chapters that
$\overline{}$	· · · · · · · · · · · · · · · · · · ·	_	a

PROFESSIONAL REPORTERS

22 folks, Kansas being one of those, Kansas actually

24 of input, like things that we should watch out for,

25 for red flags, and I actually think Ms. Mach was at

23 has design-build. You know, and we asked for a lot

1 required emergency rulemaking. I also want to note 1 several of these meetings. 2 that we had a workgroup consisting of DEQ personnel One of the things that Kansas, their 3 and external stakeholders that was formed and met 3 permitting and DWSRF folks suggested was to limit 4 the number of design-build packages because you 4 several times regarding the proposed changes to this 5 rule. On July 1, 2021, House Bill 2402 was enacted, 5 could end up with -- they had one where they had 6 authorizing conservancy districts, municipalities, 6 either 25 or 26. And so when you look at 7 counties, public trusts, and other political 7 design-build package number three, you know, then 8 subdivisions operating a public water supply system 8 you have to look at number two and number one. When 9 or wastewater treatment system to utilize 9 you're looking at 25, you really need to go back and 10 design-build as a project delivery method for those 10 look at 24 and all down to make sure that they --11 systems. Design-build is defined as a project 11 you know, they all agree because once you've 12 delivery method in which one entity works under a 12 approved 25 you've, de facto, approved everything 13 single contract to provide design and construction 13 involved in it. 14 services. The measure requires that the DEQ 14 So the work group, which consisted of 15 incorporate a flexible permitting process to allow 15 consulting engineers, municipalities and some 16 this design-build authorization into its rules and 16 design-build folks, some of the design-build group, 17 to authorize up to five pilot projects in the 17 six is a number that we agreed on as a reasonable 18 interim before those rules are adopted. This bill 18 number. You know, some folks that want to do more, 19 was codified in Oklahoma Statutes Title 61 Section 19 you can actually design your separate design-build 20 220.1. DEQ staff is proposing permanent rulemaking packages, you know, you may have three or four and 21 to update this rule to include definitions for 21 you would just submit it to us once. 22 22 "Design-build", "Design package", and "Flexible For us, it was more of a manpower 23 permitting process" in Subchapter 1, titled 23 issue, for design. And also, if somebody needs to 24 "Introduction". This also requires updating 24 do more, the discussion that we had, there's a 25 language for Subchapter 3, titled "Permit 25 variance process for that. So if you feel like you Page 38 Page 40 1 Procedures", to specify that if design-build is 1 need to have 20 or 25, make the argument and we can 2 used, the final design package must encompass the 2 live with that. But we didn't want to routinely 3 entire completed project, and to denote engineering 3 see, you know, 10, 15, 20, we were -- at least 4 report requirements when using design-build. 4 initially, we were trying to, you know, conserve In conclusion, DEO staff is asking 5 manpower and how much review time we put into that. 6 the council to recommend to the Environmental 6 Does that help? 7 Quality Board this permanent rulemaking for Chapter 7 MR. LEE: Yes. Thank you so much. 8 626. MR. CARR: Six is a number that's a little 9 CHAIRMAN DUZAN: Okay, Questions or arbitrary, but we all felt that was a doable number. 10 comments from the council? 10 MR. LEE: And you said this is similar to 11 11 the State of Kansas? MR. LEE: Yeah, Mr. Chair, I have a 12 12 question. MR. CARR: The State of Kansas didn't do 13 13 this, and this was a big regret that they had. Mr. Clagg, on the maximum of six 14 14 design packages, where did that number come from? MR. LEE: Okay. 15 How is that decided? 15 MR. CARR: So that was where some of this 16 MR. CLAGG: I am going to find Greg Carr. 16 came from. 17 17 Come on up, Greg. MR. LEE: All right. Thank you. Greg's our chief engineer, and he was 18 MR. CARR: Thank you. 19 heavily involved in the workgroup and can provide an 19 MR. LEE: Thank you, Mr. Chair. 20 answer to that question. 20 CHAIRMAN DUZAN: Okay. Any other 21 MR. CARR: So we talked with a lot of 21 questions or comments from the council?

22

PROFESSIONAL REPORTERS

MR. SMITH: I have a - kind of a

23 follow-up question that I asked when this first came

24 up. If we are in the flexible permitting process,

25 if -- say in the second design package a permit is

1 issued for that and then, when they get down to the 1 MS. MACH: - I think, also, we could look ² fourth design package, there's some kind of change 2 at this as some field changes that occur during 3 that has to be made that would amend the second 3 construction that --4 permit, then would the second permit have to be MR. CARR: Yes. 5 reissued in a corrected format? 5 MS. MACH: -- could be documented with red MR. CARR: That is an excellent question, 6 lines, if you will, that are oftentimes submitted to 7 and I recall quite a bit of discussion on that ⁷ DEQ at the completion of a project. Those could be ⁸ point. So with design-build, you're going to have a 8 updated, as long they're not too major and do not --9 more-robust engineering report, you know, we call MR. CARR: Right. 10 that the engineering report on steroids, but it is 10 MS. MACH: -- change the intent of the 11 what it is. You're -- at that point in design --11 design. So they can be captured, documented, and 12 the whole point -- a big part of the design-build 12 then submitted with future packages. 13 process is it moves quite a bit faster, you don't MR. CARR: Yes, we do change orders after 14 have the full design. 14 the permit's approved, we do addenda before. So, I 15 We've probably -- you know, we're 15 mean, we've got some options here, we're going to 16 authorized to do design-build here by the 16 try a few different ones. We do have some pilot 17 legislators, we've probably done hundreds of 17 projects that we'd still like to get done, but I'm 18 design-build projects, we just haven't known it not getting the participation on the pilots that I 19 because we don't really concern ourselves at all 19 was hoping for, but we have a few that are in the 20 with the relationship between the design and the works. Does that help? 21 construction contractors, right? 21 CHAIRMAN DUZAN: Okay. Any other 22 So the only thing that we're really 22 questions or comments from the council? 23 authorizing here is flexible permitting, the intent 23 Questions or comments from the 24 is not to have to go back and do that. So, ideally, 24 public? 25 what we're probably looking at -- and this is a 25 Okay. I'll entertain a motion. Page 42 Page 44 1 process that will have to grow with us, and that's 1 MS. MACH: I make a motion to pass the 2 why, actually, we're not incredibly detailed on our 2 design-build. 3 design-build here. We do have some design-build 3 VICE-CHAIRMAN SOWERS: Second. 4 guidance that we've also worked out with the 4 CHAIRMAN DUZAN: Okay. We have a motion 5 workgroup and we're continuing to work out with the 5 and a second, we'll have a vote. 6 workgroup. 6 SECRETARY FIELDS: Dr. Jarman? 7 It would probably -- that newer one, DR. JARMAN: Yes. ^B there's a chance they would have to redo the 8 SECRETARY FIELDS: Mr. Lee? 9 engineering report. I don't really see the benefit 9 MR. LEE: Yes. 10 to that, but we've reserved that as a possibility. 10 SECRETARY FIELDS: Ms. Mach? 11 But what would probably happen is there is going to 11 MS. MACH: Yes. 12 be something more of a technical memo associated 12 SECRETARY FIELDS: Mr. Matheson? 13 with that newly-submitted design package, and then 13 MR. MATHESON: Yes. 14 it will clarify and point out the differences, and 14 SECRETARY FIELDS: Dr. Moore? 15 then that's something we'll have to argue back and 15 DR. MOORE: Yes. 16 forth to make sure that it covers all the applicable 16 SECRETARY FIELDS: Mr. Smith? 17 issues. 17 MR. SMITH: Yes. 18 18 I mean, this is a project that will SECRETARY FIELDS: Mr. Sowers? 19 conceivably move quite a bit faster. There's 19 VICE-CHAIRMAN SOWERS: Yes. 20 always, you know, a little bit of risk associated 20 SECRETARY FIELDS: Mr. Winegardner? 21 with that, but that is one of the advantages, as 21 MR. WINEGARDNER: Yes. 22 well. So, with strength comes weakness, sometimes, 22 SECRETARY FIELDS: Mr. Duzan? 23 and vice versa. 23 CHAIRMAN DUZAN: Yes. 24 24 MS. MACH: If I may --SECRETARY FIELDS: Motion passed. 25 25 MR. CARR: Yes, ma'am.

CHAIRMAN DUZAN: Okay. Moving on to

1 1	252:628, "Indirect Potable Reuse for Surface Water	Ι,	Page 47
	Augmentation".	2	"Public Water Supply Operation".
3			Diluii.
4	68.	3	wite CENTAGE DEQ start is propositing att
1	MR. CLAGG: Okay. For permanent		update of the federal rules incorporated by
1	rulemaking, DEQ staff is proposing updates to this		reference from July 1, 2021, to August 17, 2022.
	chapter that include those made during the emergency		The changes include EPA's approval of alternative
	rulemaking process which consisted of changing		testing methods for measuring the levels of
	references from 785:45 to 252:730 and from 785:46 to		contaminants in drinking water and determining
	252:740, and references, where applicable, to DEQ		compliance with national primary drinking water
	instead of the OWRB. From a review of the proposed		regulations. This provides timelier access to new
	rule text, the council can see that the proposed		measurement techniques and greater flexibility in
	updates affect Subchapter ! (General Provisions),		the selection of analytical methods, thereby
	Subchapter 3 (Benchmarks and Implementation for IPR		reducing monitoring costs while maintaining public
	Source Water Discharges), Subchapter 9 (Permitting		health protection. From a review of the proposed
-	Requirements for IPR Source Water), and Subchapter		text, the council can see that the proposed update
	11 (IPR Receiving Waterbody Monitoring).	16	affects Subchapter 1 (Introduction).
17	In conclusion, DEQ staff is asking	17	In conclusion, DEQ staff is asking
1	the council to recommend to the Environmental	18	the council to recommend to the Environmental
	Quality Board this permanent rulemaking for Chapter		Quality Board this permanent rulemaking for Chapter
1	628. Thank you	20	631.
21	CHAIRMAN DUZAN: Thank you, sir.	21	CHAIRMAN DUZAN: Okay, Questions or
22	Questions or comments from the	22	comments from the council?
23	council?	23	DR. JARMAN: I have a question, Brian.
24	Questions or comments from the	24	MR. CLAGG: Yes?
25	public?	25	DR. JARMAN: Do these new federal
1	Then we'll entertain a motion.	1	regulations include PFOS?
2	DR. JARMAN: So move to adopt.	2	MR. CLAGG: No, not these approved
3	MR. MATHESON: Second that.	3	methods don't deal with PFOS.
4	CHAIRMAN DUZAN: We have a motion and a	4	CHAIRMAN DUZAN: Okay. Any other
5	second, we'll have a vote.	5	questions or comments from the council?
6	SECRETARY FIELDS: Dr. Jarman?	6	Questions or comments from the
7	DR. JARMAN: Yes.	7	public? Then we will entertain a motion.
8	SECRETARY FIELDS: Mr. Lee?	8	VICE-CHAIRMAN SOWERS: Motion made.
9		_	TICE-CHANGIAN SOWERS. MOROIT INICE.
1	MR. LEE: Yes.	9	MR WINEGARDNED, Second
10	MR. LEE: Yes. SECRETARY FIELDS: Ms Mach?	9 10	MR. WINEGARDNER: Second.
10	MR. LEE: Yes. SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes.	10	CHAIRMAN DUZAN: We have a motion and a
1	SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes.	10 11	CHAIRMAN DUZAN: We have a motion and a second, we'll have a vote.
11	SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes. SECRETARY FIELDS: Mr. Matheson?	10 11 12	CHAIRMAN DUZAN: We have a motion and a second, we'll have a vote. SECRETARY FIELDS: Dr. Jarman?
11	SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes. SECRETARY FIELDS: Mr. Matheson? MR. MATHESON: Yes.	10 11 12 13	CHAIRMAN DUZAN: We have a motion and a second, we'll have a vote. SECRETARY FIELDS: Dr. Jarman? DR. JARMAN: Yes.
11 12 13	SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes. SECRETARY FIELDS: Mr. Matheson? MR. MATHESON: Yes. SECRETARY FIELDS: Dr. Moore?	10 11 12 13 14	CHAIRMAN DUZAN: We have a motion and a second, we'll have a vote. SECRETARY FIELDS: Dr. Jarman? DR. JARMAN: Yes. SECRETARY FIELDS: Mr. Lee?
11 12 13 14	SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes. SECRETARY FIELDS: Mr. Matheson? MR. MATHESON: Yes. SECRETARY FIELDS: Dr. Moore? DR. MOORE: Yes.	10 11 12 13 14 15	CHAIRMAN DUZAN: We have a motion and a second, we'll have a vote. SECRETARY FIELDS: Dr. Jarman? DR. JARMAN: Yes. SECRETARY FIELDS: Mr. Lee? MR. LEE: Yes.
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11 12 13 14 15 16 17 18	SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes. SECRETARY FIELDS: Mr. Matheson? MR. MATHESON: Yes. SECRETARY FIELDS: Dr. Moore? DR. MOORE: Yes. SECRETARY FIELDS: Mr. Smith? MR. SMITH: Yes. SECRETARY FIELDS: Mr. Sowers?	10 11 12 13 14 15 16 17	CHAIRMAN DUZAN: We have a motion and a second, we'll have a vote. SECRETARY FIELDS: Dr. Jarman? DR. JARMAN: Yes. SECRETARY FIELDS: Mr. Lee? MR. LEE: Yes. SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes. SECRETARY FIELDS: Mr. Matheson?
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11 12 13 14 15 16 17 18 19 20	SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes. SECRETARY FIELDS: Mr. Matheson? MR. MATHESON: Yes. SECRETARY FIELDS: Dr. Moore? DR. MOORE: Yes. SECRETARY FIELDS: Mr. Smith? MR. SMITH: Yes. SECRETARY FIELDS: Mr. Sowers? VICE-CHAIRMAN SOWERS: Yes. SECRETARY FIELDS: Mr. Winegardner?	10 11 12 13 14 15 16 17 18 19 20	CHAIRMAN DUZAN: We have a motion and a second, we'll have a vote. SECRETARY FIELDS: Dr. Jarman? DR. JARMAN: Yes. SECRETARY FIELDS: Mr. Lee? MR. LEE: Yes. SECRETARY FIELDS: Ms. Mach? MS. MACH: Yes. SECRETARY FIELDS: Mr. Matheson? MR. MATHESON: Yes. SECRETARY FIELDS: Dr. Moore?
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1	SECRETARY FIELDS: Mr. Winegardner? Page 49	1	SECRETARY FIELDS: Dr. Jarman?
2	MR. WINEGARDNER: Yes.	2	DR. JARMAN: Yes.
3	SECRETARY FIELDS: Mr. Duzan?	3	SECRETARY FIELDS: Mr. Lee?
4	CHAIRMAN DUZAN: Yes.	4	MR. LEE: Yes.
5	SECRETARY FIELDS: Motion passed.	5	SECRETARY FIELDS: Ms. Mach?
6	CHAIRMAN DUZAN: Okay. On to 252:633,	6	MS. MACH: Yes.
7	"Drinking Water State Revolving Fund".	7	SECRETARY FIELDS: Mr. Matheson?
8	Brian?	8	MR, MATHESON: Yes.
9	MR. CLAGG: Okay. This is another rule	9	SECRETARY FIELDS: Dr. Moore?
10	that was not part of the water quality standards and	10	DR. MOORE: Yes.
11	emergency rulemaking. For this one, DEQ staff is	11	SECRETARY FIELDS: Mr. Smith?
12	proposing an update to Appendix A, Part II, B.9. to	12	MR. SMITH: Yes.
- 1	remove language related to application of the median	13	SECRETARY FIELDS: Mr. Sowers?
- 1	household income as an element used by DEQ in	14	VICE-CHAIRMAN SOWERS: Yes.
- 1	prioritizing the award of DWSRF funds. This change	15	SECRETARY FIELDS: Mr. Winegardner?
- 1	is intended to clarify that DEQ is to utilize	16	MR. WINEGARDNER: Yes.
- 1	information from the latest census on the median	17	SECRETARY FIELDS: Mr. Duzan?
18	household income when prioritizing the award of	18	CHAIRMAN DUZAN: Yes.
	DWSRF funds, rather than the dollar amounts	19	SECRETARY FIELDS: Motion passed
- 1	currently in the provision. The language DEQ	20	CHAIRMAN DUZAN: Okay. We're going to
- 1	proposes to remove does not reflect the latest	21	move on to 252:652, which is "Underground Injection
- 1	census information on median household income and		Control". And we have a new presenter, Ms. Hillary
- 1	was intended to be illustrative only. It was not		Young.
- 1	intended to prevent DEQ from using information from	24	MS. YOUNG: Hello, I'm Hillary Young, I'm
	the latest census. Removing this language will	25	Chief Engineer of the Land Protection Division, and
\Box	Page 50	П	Page 52
- 1	clarify that DEQ is to utilize the information from		I'll be presenting Chapter 652, which is
	the latest census for the household median income		"Underground Injection Control".
	and is not required to only use the dollar amounts	3	For permanent rulemaking, DEQ staff
	listed. Since this involves changes to an appendix	4	in high and a combant page uper merape
- 1	which are revoked and reissued, the proposed text in		those made during the emergency rulemaking process.
- 1	your binder will not show the changes made.	1	These include changing a reference from Oklahoma
- 1	Therefore, I've included in your binder a marked-up	ſ	Water Resources Board to Department of Environmental
- 1	version of the appendix that you can reference that	ı	Quality and OAC 785:45 to OAC 252:730. Also, a
- 1	should be at the end there. And if you look at the	ı	minor editorial change was made for clarification.
- 1	very end of it, you'll see the strike-through of the	ı	From a review of the proposed rule text, the council
12	little table that was there, that's what we're		can see that the proposed updates affect Subchapter
13	tt	13	3 (Exclusionary Siting Criteria).
14	So, in conclusion, DEQ staff is	14	In conclusion, DEQ staff is asking
15		15	the council to recommend to the Environmental
	Quality Board this permanent rulemaking for Chapter 633.	ı	Quality Board this permanent rulemaking for Chapter 652.
17		17	
18	CHAIRMAN DUZAN: Questions or comments from the council?	18	CHAIRMAN DUZAN: Thank you.
19		l	Questions or comments from the council?
	Questions or comments from the public?	20	
21	Then I'll entertain a motion.	l	Questions or comments from the public?
22	DR. MOORE: So move.	22	•
23	MR. SMITH: Second.	23	I'll entertain a motion. DR. JARMAN: So move.
24	CHAIRMAN DUZAN: We have a motion and a	24	
		167	MR. MATHESON: Seconded.
	second, we'll have a vote.	25	CHAIRMAN DUZAN: We have a motion and a

1 second, we'll have a vote. 2 SECRETARY FIELDS: Dr. Jarman? 3 DR. JARMAN: Yes. 4 SECRETARY FIELDS: Mr. Lee? 5 MR. LEE: Yes. 5 SECRETARY FIELDS: Mr. Matheson? 6 SECRETARY FIELDS: Mr. Matheson? 7 MS. MACH: Yes. 8 SECRETARY FIELDS: Mr. Matheson? 9 MR. MATHESON: Yes. 10 SECRETARY FIELDS: Dr. Moore? 11 DR. MOORE: Yes. 12 SECRETARY FIELDS: Mr. Swith? 13 MR. SMITH: Yes. 14 SECRETARY FIELDS: Mr. Swith? 15 SECRETARY FIELDS: Mr. Swith? 16 SECRETARY FIELDS: Mr. Swith? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Winegardner? 19 MR. WINEGARDNER: Yes. 19 SECRETARY FIELDS: Mr. Duzan? 10 CHAIRMAN DUZAN: Wes. 20 SECRETARY FIELDS: Mr. Winegardner? 21 MR. WINEGARDNER: Yes. 22 SECRETARY FIELDS: Mr. Duzan? 23 Ms. Young? 24 Ms. YOUNG: For permanent rulemaking. DEQ 25 Staff is proposing updates to Chapter 633 that 50 proposed updates affect Subchapter 3 (ASR 7 Treatment Plant Construction), and Subchapter 9 3 (Aquifer Storage & Recovery Operations). 9 In conclusion, DEQ staff is asking 10 the council to recommend to the Environmental 10 Quality Board this permanent rulemaking for Chapter 26 63. 10 CHAIRMAN DUZAN: We have a motion and a 12 second, we'll have a vote. 20 CHAIRMAN DUZAN: We have a motion and a 12 second, we'll have a vote. 21 CHAIRMAN DUZAN: We have a motion and a 12 second, we'll have a vote. 22 SECRETARY FIELDS: Dr. Jarman? 23 DR. JARMAN: Second. 24 Ms. YOUNG: For permanent rulemaking for Chapter 12 653. 25 Ms. Young: The first was found to a proprove. 26 MR. SMITH: Motion to approve. 27 Ms. Wound: The first was found to the first was found to the first was found to a vote of the proposed updates a free subchapter 9 developed young for the vote of the proposed updates and the Environmental 10 Quality Board this permanent rulemaking for Chapter 12 653. 28 CRETARY FIELDS: Mr. Duzan? 29 Ms. Young: The first was found to this chapter that 24 includes one made during the emergency rulemaking 4 proposed updates to reference is 5 defice the vote subset of a surring a reference is 6 from the council to recomment from th		
3 DR. JARMAN: Yes. 4 SECRETARY FIELDS: Mr. Lee? 5 MR. LEE: Yes. 6 SECRETARY FIELDS: Ms. Mach? 7 MS. MACH: Yes. 8 SECRETARY FIELDS: Mr. Matheson? 9 MR. MATHESON: Yes. 10 SECRETARY FIELDS: Dr. Moore? 11 DR. MOORE: Yes. 12 SECRETARY FIELDS: Mr. Smith? 13 MR. MATHESON: Mr. Smith? 14 SECRETARY FIELDS: Mr. Smith? 15 SECRETARY FIELDS: Mr. Sowers? 16 SECRETARY FIELDS: Mr. Sowers? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Sowers? 19 CHAIRMAN DUZAN: We have a motion and a second, well have a project of lessingle contract of project and construction of sundards. 10 SECRETARY FIELDS: Mr. Sowers? 11 SECRETARY FIELDS: Mr. Sowers? 12 SECRETARY FIELDS: Mr. Sowers? 13 SECRETARY FIELDS: Mr. Sowers? 14 SECRETARY FIELDS: Mr. Sowers? 15 SECRETARY FIELDS: Mr. Winegardner? 16 MR. WINEGARDNER: Yes. 17 SECRETARY FIELDS: Mr. Sowers? 18 SECRETARY FIELDS: Mr. Winegardner? 19 CHAIRMAN DUZAN: Ves. 20 SECRETARY FIELDS: Mr. Duzan? 21 CHAIRMAN DUZAN: We sowers 22 SESCRETARY FIELDS: Mr. Duzan? 23 MS. Young; 24 MS. YOUNG: For permanent rulemaking, DEQ 20 Staff is proposing updates to Chapter 653 that	1 second, we'll have a vote.	53 1 SECRETARY FIELDS: Ms. Mach?
4 MR. MATHESON: Yes. 5 MR. LEI: Yes. 6 SECRETARY FIELDS: Ms. Mach? 7 MS. MACH: Yes. 8 SECRETARY FIELDS: Mr. Matheson? 9 MR. MATHESON: Yes. 10 SECRETARY FIELDS: Dr. Moore? 11 DR. MOORE: Yes. 12 SECRETARY FIELDS: Mr. Smith? 13 MR. SMITH: Yes. 14 SECRETARY FIELDS: Mr. Smith? 15 VICE-CHAIRMAN SOWERS: Yes. 16 SECRETARY FIELDS: Mr. Sowers? 17 VICE-CHAIRMAN SOWERS: Yes. 18 SECRETARY FIELDS: Mr. Winegardner? 19 VICE-CHAIRMAN SOWERS: Yes. 16 SECRETARY FIELDS: Mr. Winegardner? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Winegardner? 19 CHAIRMAN DUZAN: Yes. 10 SECRETARY FIELDS: Mr. Winegardner? 11 Outlined those made during the emergency rulemaking of the proposed updates affect Subchapter 3 (Raw Water and A Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 16 (Aquifer Storage & Recovery Operations). 10 In conclusion, DEQ staff is asking 10 the council to recommend to the Environmental 11 Quality Board this permanent rulemaking for Chapter 12 (Ed.) Subchapter 3 (Raw Water and A Quility Board this permanent rulemaking for Chapter 12 (Ed.) Subchapter 3 (Raw Water and Capter 626, "Public Water Supply Construction 13 subdivisions operating a public water supply system 14 comments from the council? 15 Questions or comments from the 2 (Papelie) 15 Questions or comments from the 2 (Papelie) 25 (Papelie) 25 (Papelie) 26 (Papelie) 26 (Papelie) 27 (Papelie) 27 (Papelie) 28 (Papelie) 28 (Papelie) 29 (Papelie)	2 SECRETARY FIELDS: Dr. Jarman?	² MS. MACH: Yes.
5 MR. LEE: Yes. 6 SECRETARY FIELDS: Ms. Mach? 7 MS. MACH: Yes. 8 SECRETARY FIELDS: Mr. Matheson? 9 MR. MATHESON: Yes. 10 SECRETARY FIELDS: Dr. Moore? 11 DR. MOORE: Yes. 12 SECRETARY FIELDS: Mr. Smith? 13 MR. SMITH: Yes. 14 SECRETARY FIELDS: Mr. Sowers? 15 VICE-CHAIRMAN SOWERS: Yes. 16 SECRETARY FIELDS: Mr. Sowers? 16 SECRETARY FIELDS: Mr. Sowers? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 19 SECRETARY FIELDS: Mr. Downing on to SECRETARY FIELDS: Mr. Duzan? 10 SECRETARY FIELDS: Mr. Duzan? 11 DR. WOORE: Yes. 12 SECRETARY FIELDS: Mr. Sowers? 13 MR. WINEGARDNER: Yes. 14 SECRETARY FIELDS: Mr. Duzan? 15 VICE-CHAIRMAN DUZAN: Yes. 16 SECRETARY FIELDS: Mr. Duzan? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 19 SECRETARY FIELDS: Mr. Duzan? 10 GHAIRMAN DUZAN: Wes. 20 SECRETARY FIELDS: Motion passed. 21 CHAIRMAN DUZAN: Okay. Moving on to CHAIRMAN DUZAN: Yes. 22 SECRETARY FIELDS: Mr. Duzan? 24 MS. YOUNG: For permanent rulemaking. DEQ 25 staff is proposing updates to Chapter 653 that 26 Include shose made during the emergency rulemaking proposing an update to this chapter that includes some made during the emergency rulemaking or Chapter 14 include shose made during the emergency rulemaking or Chapter 14 include shose made during the emergency rulemaking 15 proposing an update to this chapter that 16 includes some made during the emergency rulemaking 16 proposed updates affect Subchapter 3 (ASR Water and 6 Aquifer Characterization), Bub Subchapter 9 (Aquifer Storage & Recovery Operations) 16 MR. WINEGARDNER: Yes. 17 Then I'll entertain a motion. 18 MR. SMITH: Motion to approve. 19 DR. JARMAN: Second. 20 CHAIRMAN DUZAN	3 DR. JARMAN: Yes.	3 SECRETARY FIELDS: Mr. Matheson?
5 SECRETARY FIELDS: Ms. Mach? 5 MS. MACH: Yes. 5 MR. MACH: Yes. 5 MR. MACH: Yes. 5 MR. MATHESON: Yes. 5 SECRETARY FIELDS: Mr. Moore? 6 MR. MATHESON: Yes. 6 SECRETARY FIELDS: Dr. Moore? 7 MR. MATHESON: Yes. 7 SECRETARY FIELDS: Mr. Smith? 8 SECRETARY FIELDS: Mr. Smith? 8 SECRETARY FIELDS: Mr. Smith? 8 MR. SMITH: Yes. 8 SECRETARY FIELDS: Mr. Smith? 8 MR. SMITH: Yes. 9 SECRETARY FIELDS: Mr. Winegardner? 10 VICE-CHAIRMAN SOWERS: Yes. 11 SECRETARY FIELDS: Mr. Duzan? 12 MR. WINEGARDNER: Yes. 13 SECRETARY FIELDS: Mr. Winegardner? 14 CHAIRMAN DUZAN: Yes. 15 SECRETARY FIELDS: Mr. Duzan? 16 CHAIRMAN DUZAN: Yes. 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 19 CHAIRMAN DUZAN: Okay. Moving on to 22 252:653, "Aquifer Storage and Recovery". 20 MS. YOUNG: For permanent rulemaking, DEQ 25 staff is proposing updates to Chapter 653 that 21 include those made during the emergency rulemaking Process. These include several updates to reference of 4 duplicy Characterization, Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 26 (Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 26 (Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 26 (Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 27 (Aquifer Storage & Recovery Operations). 28 (CHAIRMAN DUZAN: Okay. Questions or 1 december of 1 december 2 december 1 december 2 december	4 SECRETARY FIELDS: Mr. Lee?	4 MR. MATHESON: Yes.
7	5 MR. LEE: Yes.	5 SECRETARY FIELDS: Dr. Moore?
SECRETARY FIELDS: Mr. Matheson? 1	6 SECRETARY FIELDS: Ms. Mach?	6 DR. MOORE: Yes.
9 MR. MATHESON: Yes. 10 SECRETARY FIELDS: Dr. Moore? 11 DR. MOORE: Yes. 12 SECRETARY FIELDS: Mr. Smith? 13 MR. SMITH: Yes. 14 SECRETARY FIELDS: Mr. Sowers? 15 VICE-CHAIRMAN SOWERS: Yes. 16 SECRETARY FIELDS: Mr. Winegardner? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Winegardner? 19 CHAIRMAN DUZAN: Yes. 10 SECRETARY FIELDS: Mr. Duzan? 11 GHAIRMAN DUZAN: Yes. 12 SECRETARY FIELDS: Mr. Duzan? 13 SECRETARY FIELDS: Mr. Duzan? 14 CHAIRMAN DUZAN: Okay. Moving on I 15 URLAN ORDER: Yes. 16 SECRETARY FIELDS: Mr. Duzan? 17 Guess, Hillary, you only had the two, now we're back 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 20 SECRETARY FIELDS: Mr. Duzan? 21 CHAIRMAN DUZAN: Okay. Moving on to 22 252:653, "Aquifer Storage and Recovery". 23 Ms. Young? 24 Ms. YOUNG: For permanent rulemaking, DEQ 25 staff is proposing updates to Chapter 653 that 26 Ms. Young? 27 Ms. Young? 28 Ms. Young? 29 Ms. Young? 20 Ms. Young? 21 include those made during the emergency rulemaking process. These include several updates to reference and the proposed updates affect Subchapter 3 (Raw Water and Aquifer Characterization), Subchapter 5 (ASR 27 Treatment Plant Construction), and Subchapter 9 28 (Aquifer Storage & Recovery Operations). 30 Mc. Young on I 31 GHAIRMAN DUZAN: Okay. Moving on to 32 Staff is proposing an update to this chapter, regarding flexible permitting, similar to the one we discussed earlier of Cor Chapter 626, "Public Water Supply Construction Standards". 29 In onclusion, DEQ staff is asking an update to this chapter, regarding flexible permitting, similar to the one we discussed earlier of Cor Chapter 626, "Public Water Supply Construction Standards". 31 additionally, DEQ staff is proposing an update to this chapter, regarding flexible permitting, similar to the one we discussed earlier of Cor Chapter 626, "Public Water Supply Construction Standards". 32 Additionally, DEQ staff is proposing an update to this chapter, regarding flexible permitting, similar to the one we discussed earlier of Cor Chapter 626, "Public Wa	7 MS. MACH: Yes.	7 SECRETARY FIELDS: Mr. Smith?
SECRETARY FIELDS: Dr. Moore? 10 SECRETARY FIELDS: Mr. Sowers? 11 DR. MOORE: Yes. 12 SECRETARY FIELDS: Mr. Smith? 13 MR. SMITH: Yes. 14 SECRETARY FIELDS: Mr. Sowers? 15 VICE-CHAIRMAN SOWERS: Yes. 16 SECRETARY FIELDS: Mr. Winegardner? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 10 CHAIRMAN DUZAN: Yes. 10 CHAIRMAN DUZAN: Yes. 11 SECRETARY FIELDS: Mr. Duzan? 12 CHAIRMAN DUZAN: Yes. 13 SECRETARY FIELDS: Motion passed. 14 CHAIRMAN DUZAN: Okay. Moving on. I 15 SECRETARY FIELDS: Mr. Duzan? 16 CHAIRMAN DUZAN: Yes. 17 guess, Hillary, you only had the two, now we're back 18 to Brian. 252:656, "Water Pollution Control 19 CHAIRMAN DUZAN: Okay. Moving on to 20 SECRETARY FIELDS: Motion passed. 21 CHAIRMAN DUZAN: Okay. Moving on to 22 SECRETARY FIELDS: Mr. Duzan? 23 Ms. Young? 24 Ms. Young? 25 Ms. Young? 26 Ms. Young? 27 Ms. Young? 28 Ms. Young? 29 Ms. Young? 20 Ms. Young? 21 Ms. Young? 22 Okay. For permanent rulemaking, DEQ 23 staff is proposing updates to Chapter 653 that 24 includes one made during the emergency rulemaking 25 process. These include several updates to reference 26 Aquifer Characterization), Subchapter 5 (ASR 27 Treatment Plant Construction), and Subchapter 9 28 (Aquifer Storage & Recovery Operations). 29 In conclusion, DEQ staff is asking 10 the council to recommend to the Environmental 11 Quality Board this permanent rulemaking for Chapter 12 G633. 13 CHAIRMAN DUZAN: Okay. Questions or 14 (comments from the council? 15 Questions or comments from the 16 public? 17 Then I'll entertain a motion. 18 Mr. SMITH: Motion to approve. 19 DR. JARMAN: Second. 21 design-build as a project delivery method for those 22 second, we'll have a vote. 23 entertary FIELDS: Mr. Duzan? 14 feliciber mittering process to allow this 24 design-build as a project delivery method for those 25 set man and the political 26 design-build as a project delivery method for those 27 set man and the political 28 set man and the political 29 set man	8 SECRETARY FIELDS: Mr. Matheson?	8 MR. SMITH: Yes.
11 DR. MOORE: Yes. 12 SECRETARY FIELDS: Mr. Smith? 13 MR. SMITH: Yes. 14 SECRETARY FIELDS: Mr. Duzan? 15 VICE-CHAIRMAN SOWERS: Yes. 16 SECRETARY FIELDS: Mr. Winegardner? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 19 SECRETARY FIELDS: Mr. Duzan? 10 CHAIRMAN DUZAN: Yes. 10 SECRETARY FIELDS: Mr. Duzan? 11 CHAIRMAN DUZAN: Yes. 12 SECRETARY FIELDS: Mr. Duzan? 13 SECRETARY FIELDS: Mr. Duzan? 14 CHAIRMAN DUZAN: Okay. Moving on 1 15 guess, Hillary, you only had the two, now we're back 18 to Brian. 252-656, "Water Pollution Control 19 Facility Construction Standards". 19 CHAIRMAN DUZAN: Okay. Moving on to 22 252:633, "Aquifer Storage and Recovery". 20 Ms. YoUNG: For permanent rulemaking, DEQ 25 staff is proposing updates to Chapter 653 that 19 include those made during the emergency rulemaking 22 process. These include several updates to reference 3 OAC 252:730 instead of OAC 785:45. From a review of 4 the proposed rule text, the council can see that the 5 proposed updates affect Subchapter 3 (Raw Water and 4 Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 18 (Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 18 (Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 19 (Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 10 the council to recommend to the Environmental 11 Quality Board this permanent rulemaking for Chapter 626, "Public Water Supply Construction 19 personnel and external stakeholders that met several 10 times. On July 1, 2021, House Bill 2402 was enacted 11 authorizing conservancy districts, municipalities, 12 design-build as a project delivery method for those 15 systems. Design-build is defined as a project 17 delivery method in which one entity works under a 18 single contract to provide design and construction 19 services. The measure requires the DEQ incorporate 2 design-build authorizatio	9 MR. MATHESON: Yes.	9 SECRETARY FIELDS: Mr. Sowers?
12 SECRETARY FIELDS: Mr. Smith? 13 MR. SMITH: Yes. 14 SECRETARY FIELDS: Mr. Sowers? 15 VICE-CHAIRMAN SOWERS: Yes. 16 SECRETARY FIELDS: Mr. Winegardner? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 20 SECRETARY FIELDS: Mr. Duzan? 21 CHAIRMAN DUZAN: Okay. Moving on to 22 CHAIRMAN DUZAN: Okay. Moving on to 23 Ms. Young? 24 MS. YOUNG: For permanent rulemaking, DEQ 25 staff is proposing updates to Chapter 653 that 26 include those made during the emergency rulemaking process. These include several updates to reference 27 OAC 252:730 instead of OAC 785:45. From a review of the proposed rule text, the council can see that the proposed ru	10 SECRETARY FIELDS: Dr. Moore?	VICE-CHAIRMAN SOWERS: Yes.
SECRETARY FIELDS: Mr. Smith? 12 MR. WINEGARDNER: Yes. 13 SECRETARY FIELDS: Mr. Duzan? 14 SECRETARY FIELDS: Mr. Sowers? 15 VICE-CHAIRMAN SOWERS: Yes. 15 SECRETARY FIELDS: Mr. Winegardner? 16 CHAIRMAN DUZAN: Yes. 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 18 SECRETARY FIELDS: Mr. Duzan? 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 19 Facility Construction Standards*. 19 Facility Construction Standards*. 19 Facility Construction Standards*. 19 Facility Construction Standards*. 19 Acquifer Storage and Recovery*. 22 Okay. For permanent rulemaking, DEQ 23 Staff is proposing updates to Chapter 653 that the proposed rule text, the council can see that the proposed rule text, the council can see that the proposed dudies affect Subchapter 3 (Raw Water and Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 8 (Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 8 (Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 10 the council to recommend to the Environmental 11 Quality Board this permanent rulemaking for Chapter 12 G53. CHAIRMAN DUZAN: Okay. Questions or 14 Comments from the council? 16 Growth of the Council of the Cou	DR. MOORE: Yes.	SECRETARY FIELDS: Mr. Winegardner?
14 SECRETARY FIELDS: Mr. Sowers? 15 VICE-CHAIRMAN SOWERS: Yes. 16 SECRETARY FIELDS: Mr. Winegardner? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 20 SECRETARY FIELDS: Motion passed. 21 CHAIRMAN DUZAN: Okay. Moving on to 22 252:653, "Aquifer Storage and Recovery". 23 Ms. Young? 24 MS. YOUNG: For permanent rulemaking, DEQ 25 staff is proposing updates to Chapter 653 that 2 process. These include several updates to reference of Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 8 (Aquifer Storage & Recovery Operations). 9 In conclusion, DEQ staff is asking 10 the council to recommend to the Environmental 11 Quality Board this permanent rulemaking for Chapter 12 653. 13 CHAIRMAN DUZAN: Okay. Questions or 14 comments from the council? 15 Questions or comments from the 16 public? 16 SECRETARY FIELDS: Mr. Winegardner? 17 Then I'll entertain a motion. 18 MR. SMITH: Motion to approve. 19 DR. JARMAN DUZAN: We have a motion and a 21 second, we'll have a vote. 20 SECRETARY FIELDS: Mr. Winegardner? 16 CHAIRMAN DUZAN: Okay. Moving on to 27 discussed and the two proposed rule to the second we'll the way fun. 22 okay. For permanent rulemaking, DEQ 23 staff is proposing an update to this chapter that 24 includes one made during the emergency rulemaking 25 process that consisted of ensuring a reference is 25 staff is proposing an update to this chapter that 24 includes one made during the emergency rulemaking 25 process that consisted of ensuring a public Water Supply Construction Standards". 21 amade to OAC 252:730 instead of 785:45. This 24 includes one made during the emergency rulemaking 25 process that consisted of ensuring a public Water Supply Construction 3 and attention 3 manual 25 design-build as a project delivery method for those 25 systems. Design-build is defined as a project delivery method for those 25 systems. Design-build is defined as a project of levery method in which one entity works under a 3 single contract to provide design a	12 SECRETARY FIELDS: Mr. Smith?	
15 VICE-CHAIRMAN SOWERS: Yes. 16 SECRETARY FIELDS: Mr. Winegardner? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 20 SECRETARY FIELDS: Motion passed. 21 CHAIRMAN DUZAN: Okay. Moving on to 22 252:653, "Aquifer Storage and Recovery". 23 Ms. Young? 24 Ms. Young? 25 Staff is proposing updates to Chapter 653 that 2 process. These include several updates to reference 3 OAC 252:730 instead of OAC 785:45. From a review of 4 the proposed updates affect Subchapter 3 (Raw Water and 6 Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 8 (Aquifer Storage & Recovery Operations). 9 In conclusion, DEQ staff is asking 10 the council to recommend to the Environmental 11 Quality Board this permanent rulemaking for Chapter 26 633	13 MR. SMITH: Yes,	SECRETARY FIELDS: Mr. Duzan?
SECRETARY FIELDS: Mr. Winegardner? MR. WINEGARDNER: Yes. SECRETARY FIELDS: Mr. Duzan? CHAIRMAN DUZAN: Yes. CHAIRMAN DUZAN: Okay. Moving on to SECRETARY FIELDS: Motion passed. CHAIRMAN DUZAN: Okay. Moving on to CHAIRMAN DUZAN: Okay. Moving on to SECRETARY FIELDS: Motion passed. CHAIRMAN DUZAN: Okay. Moving on to CHAIRMAN DUZAN: Okay. Moving on to SECRETARY FIELDS: Mr. Duzan? MS. Young? MS. Young? MS. Young: MS. Young: MS. Young: MS. Young: The proposing updates to Chapter 653 that Page 54 I include those made during the emergency rulemaking of the proposed rule text, the council can see that the proposed updates affect Subchapter 5 (ASR) Treatment Plant Construction), and Subchapter 9 (Aquifer Storage & Recovery Operations). MR. CLAGG: It was short, but it was fun. Okay. For permanent rulemaking, DEQ 23 staff is proposing an update to this chapter that includes one made during the emergency rulemaking 25 process that consisted of ensuring a reference is 25 The proposed updates affect Subchapter 3 (ARW Water and 6 Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 (Aquifer Storage & Recovery Operations). In conclusion, DEQ staff is asking 10 the council to recommend to the Environmental 11 Quality Board this permanent rulemaking for Chapter 12 SECRETARY FIELDS: Mr. Duzan? MR. CLARG: It was short, but it was fun. Okay. For permanent rulemaking. DEQ 23 affected Subchapter 11, titled "Lagoon Standards". I made to OAC 252:730 instead of 785:45. This 2 affected Subchapter 11, titled "Lagoon Standards". I made to OAC 252:730 instead of 785:45. This 2 affected Subchapter 11, titled "Lagoon Standards". Additionally, DEQ staff is proposing an update to this chapter, regarding flexible 5 permitting, similar to the one we discussed earlier of Chapter 626, "Public Water Supply Construction 11 times. On July 1, 2021, House Bill 2402 was enacted 11 times. On July 1, 2021, House Bill 2402 was enacted 12 authorizing conservancy districts, municipalitie	14 SECRETARY FIELDS: Mr. Sowers?	14 CHAIRMAN DUZAN: Yes.
16 SECRETARY FIELDS: Mr. Winegardner? 17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 20 SECRETARY FIELDS: Motion passed. 21 CHAIRMAN DUZAN: Okay. Moving on to 22 252:653, "Aquifer Storage and Recovery". 23 Ms. Young? 24 Ms. YOUNG: For permanent rulemaking, DEQ 25 staff is proposing updates to Chapter 653 that 26 process. These include several updates to reference 27 of Acc 252:730 instead of OAC 785:45. From a review of 28 the proposed rule text, the council can see that the 29 proposed rule text, the council can see that the 30 OAC 252:730 instead of OAC 785:45. From a review of 4 the proposed rule text, the council can see that the 4 proposed rule text, the council can see that the 5 proposed updates affect Subchapter 3 (Raw Water and 6 Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 8 (Aquifer Storage & Recovery Operations) 9 In conclusion, DEQ staff is asking 10 the council to recommend to the Environmental 11 Quality Board this permanent rulemaking for Chapter 12 comments from the council? 13 CHAIRMAN DUZAN: Okay. Questions or 14 comments from the council? 15 Questions or comments from the 16 public? 16 Systems. Design-build as a project delivery method for those estimate to the centure that the systems. Design-build is defined as a project delivery method in which one entity works under a second, we'll have a vote. 21 SECRETARY FIELDS: Dr. Jarman? 22 Language St. Hillary, you only had the two, now we're back to be the bear and to be Brian. 252:656, "Water Pollution Control 17 Facility Construction Standards". 18 to Brian. 252:656, "Water Pollution Control 19 Facility Construction Standards". 19 In the construction standards and the staffet Subchapter 1, titled "Lagoon Standards". 20 CHAIRMAN DUZAN: We have a motion and a sericle of Subchapter 11, titled "Lagoon Standards". 21 deficted Su	15 VICE-CHAIRMAN SOWERS: Yes.	SECRETARY FIELDS: Motion passed.
17 MR. WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 20 SECRETARY FIELDS: Motion passed. 21 CHARMAN DUZAN: Okay. Moving on to 22 252:653, "Aquifer Storage and Recovery". 23 Ms. Young? 24 MS. YOUNG: For permanent rulemaking, DEQ 25 staff is proposing updates to Chapter 653 that 2 process. These include several updates to reference 3 OAC 252:730 instead of OAC 785:45. From a review of 4 the proposed rule text, the council can see that the 5 proposed updates affect Subchapter 3 (Raw Water and 6 Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 8 (Aquifer Storage & Recovery Operations). 9 In conclusion, DEQ staff is asking 10 the council to recomment to the Environmental 11 Quality Board this permanent rulemaking for Chapter 12 653. 13 CHAIRMAN DUZAN: Okay. Questions or 14 comments from the council? 15 Questions or comments from the 16 public? 17 Then I'll entertain a motion. 18 MR. SMITH: Motion to approve. 19 DR. JARMAN: Second. 21 In ope you enjoyed your break. 22 In thope you enjoyed your break. 23 In pop you enjoyed your break. 24 In pop you enjoyed your break. 25 In pop you enjoyed your break. 26 In pop you enjoyed your break. 27 In pop you enjoyed your break. 28 In pop you enjoyed your break. 29 In pop you enjoyed your break. 20 Okay. For permanent rulemaking, DEQ 23 staff is proposing an update to this chapter that includes one made during the emergency rulemaking 2t includes one made during the emergency rulemaking	16 SECRETARY FIELDS: Mr. Winegardner?	•
18 SECRETARY FIELDS: Mr. Duzan? 19 CHAIRMAN DUZAN: Yes. 20 SECRETARY FIELDS: Motion passed. 21 CHAIRMAN DUZAN: Okay. Moving on to 22 252:653, "Aquifer Storage and Recovery". 23 Ms. Young? 24 MS. YOUNG: For permanent rulemaking, DEQ 25 staff is proposing updates to Chapter 653 that 26 include those made during the emergency rulemaking 2 process. These include several updates to reference 3 OAC 252:730 instead of OAC 785:45. From a review of 4 the proposed rule text, the council can see that the 5 proposed updates affect Subchapter 3 (Raw Water and 6 Aquifer Characterization), Subchapter 5 (ASR 7 Treatment Plant Construction), and Subchapter 9 8 (Aquifer Storage & Recovery Operations). 9 In conclusion, DEQ staff is asking 10 the council to recommend to the Environmental 11 Quality Board this permanent rulemaking for Chapter 12 653. 13 CHAIRMAN DUZAN: Okay. Questions or 14 comments from the council? 15 Questions or comments from the 16 public? 17 Then I'll entertain a motion. 18 MR. SMITH: Motion to approve. 19 DR. JARMAN: Second. 20 CHAIRMAN DUZAN: We have a motion and a 21 second, we'll have a vote. 21 brain 225:656, "Water Pollution Control 19 Facility Construction Standards". 22 I hope you enjoyed your break. 23 I hope you enjoyed your break. 24 Inhope you enjoyed your break. 24 MR. CLAGG: It was short, but it was fun. 25 Okay. For permanent rulemaking, DEQ 26 staff is proposing an update to this chapter that 26 includes one made during the emergency rulemaking 27 process that consisted of ensuring a reference is 28 affected Subchapter 11, titled "Lagoon Standards". 30 Additionally, DEQ staff is proposing 4 an update to this chapter 11, titled "Lagoon Standards". 4 Standards". As noted earlier, the proposed text is 4 the result of a workgroup consisting of DEQ 9 personnel and external stakeholders that met several 10 times. On July 1, 2021, House Bill 2402 was enacted 11 authorizing conservancy districts, municipalities, 12 design-build is defined as a project delivery method for those 18 single contract to pr	17 MR. WINEGARDNER: Yes.	, ,
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	22 SECRETARY FIELDS: Dr. Jarman?	- 192
I The same with	DR. JARMAN: Yes.	
24 SECRETARY FIELDS: Mr. Lee? 24 codified in Oklahoma Statutes Title 61 Section	24 SECRETARY FIELDS: Mr. Lee?	· ·
25 MR. LEE: Yes. 25 220.1. DEQ is proposing permanent rulemaking to	25 MR. LEE: Yes.	

1 update this rule to include definitions for 2 "Design-build", "Design package", and "Flexible 3 permitting process" in Subchapter I (Introduction). 4 This also requires updating language for Subchapter 5 3, titled "Permit Procedures", regarding the 6 permitting process and requirements for submittal of 7 engineering reports when utilizing design-build. 8 In conclusion, DEQ staff is asking 9 the council to recommend to the Environmental 10 Quality Board this permanent rulemaking for Chapter 11 656, Thank you. 12 CHAIRMAN DUZAN: Thank you. 13 Questions or comments from the 14 council? 15 Questions or comments from the 16 public? 16 MS, MACH: So moved. 17 I'll entertain a motion. 18 MS, MACH: So moved. 19 DR, JARMAN: Second. 20 CHAIRMAN DUZAN: We have a motion and a 21 second, well have a vote. 21 SECRETARY FIELDS: Mr. Lec? 22 SECRETARY FIELDS: Mr. Lec? 23 MR, LEE: Yes. 14 SECRETARY FIELDS: Mr. Lec? 25 MR, LEE: Yes. 15 SECRETARY FIELDS: Mr. Smith? 26 MR, SMITH: Yes. 3 SECRETARY FIELDS: Mr. Smith? 3 MR, SMITH: Yes. 4 MR, MATHESON: Yes. 5 SECRETARY FIELDS: Mr. Smith? 6 MR, SMITH: Yes. 9 SECRETARY FIELDS: Mr. Smith? 16 MR, SMITH: Yes. 17 MR, WINEGARDNER: Yes. 18 SECRETARY FIELDS: Mr. Smith? 19 MR, WINEGARDNER: Yes. 10 VICE-CHAIRMAN DUZAN: Yes. 21 MR, WINEGARDNER: Yes. 22 MR, WINEGARDNER: Yes. 23 SECRETARY FIELDS: Mr. Smith? 24 MR, WINEGARDNER: Yes. 25 SECRETARY FIELDS: Mr. Smith? 26 MR, SMITH: Yes. 27 SECRETARY FIELDS: Mr. Smith? 28 MR, WINEGARDNER: Yes. 39 SECRETARY FIELDS: Mr. Smith? 40 MR, WINEGARDNER: Yes. 41 SECRETARY FIELDS: Mr. Smith? 41 CHAIRMAN DUZAN: Yes. 42 SECRETARY FIELDS: Mr. Smith? 43 MR, WINEGARDNER: Yes. 44 SECRETARY FIELDS: Mr. Smith? 45 MR, WINEGARDNER: Yes. 46 MR, SMITH: Yes. 47 SECRETARY FIELDS: Mr. Smith? 48 MR, WINEGARDNER: Yes. 49 challed with variances and states that DEQ has the other rule that includes a extra tab that includes a extra tab that includes a extra tab that includes a work of the papendices. Please ignore appendices. Please ignore appendices. Please ignore appendices. Please
2 "Design-build", "Design package", and "Flexible 3 permanent rulemaking include updates to Subchapter 5 3, titled "Permit Procedures", regarding the 6 permitting process" in Subchapter 1 (Introduction). 6 permitting process and requirements for submittal of 7 engineering reports when utilizing design-build. 8 In conclusion, DEQ staff is asking 9 the council to recommend to the Environmental 10 Quality Board this permanent rulemaking for Chapter 11 656. Thank you. 12 CHAIRMAN DUZAN: Thank you. 13 Questions or comments from the 14 council? 15 Questions or comments from the 16 public? 17 Ill entertain a motion. 18 MS. MACH: So moved. 19 DR. JARMAN: Second. 20 CHAIRMAN DUZAN: We have a motion and a 21 second, we'll have a vote. 22 SECRETARY FIELDS: Dr. Jarman? 23 DR. JARMAN: Yes. 24 SECRETARY FIELDS: Mr. Lee? 25 MR. LEE: Yes. 25 MR. LEE: Yes. 26 SECRETARY FIELDS: Mr. Matheson? 4 MR. MATHESON: Yes. 3 SECRETARY FIELDS: Mr. Matheson? 4 MR. MATHESON: Yes. 5 SECRETARY FIELDS: Mr. Smith? 6 Permitting process and requirements for bubbliding and changing referenced OAC 252:516 and OAC 252:520 that are ferences were one has no longer an active 6 deals with biosolidis requirements. Subchapter 5 7 also referenced OAC 252:510 and OAC 252:520 that are 8 no longer active chapters, so these references were 9 changed to OAC 252:515, which is the rule titled 10 "Management of Solid Waste". 11 Changes are also proposed that 12 improve the organization of the contents within the 13 chapter. Appendix A was titled "Water Quality to Changes are also proposed that 12 improve the organization of the contents within the 13 chapter. Appendix A was titled "Water Quality to Changes are also proposed that 12 improve the organization of the contents within the 13 chapter. Appendix A was titled "Water Quality to Changes are also proposed that 12 improve the organization of the contents within the 13 chapter. Appendix A was titled "Water Quality to Changes are also proposed that 13 chapter. Appendix A was titled "Water Quality to Changes are als
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4 referenced OAC 252:648, which is no longer an active 5 3, tilled "Permit Procedures", regarding the 6 permitting process and requirements for submittal of 7 engineering reports when utilizing design-build. 8 In conclusion, DEQ staff is asking 9 the council to recommend to the Environmental 10 Quality Board this permanent rulemaking for Chapter 11 656. Thank you. 12 CHAIRMAN DUZAN: Thank you. 13 Questions or comments from the 14 council? 15 Questions or comments from the 16 public? 17 I'll entertain a motion. 18 MS. MACH: So moved. 19 DR. JARMAN: Second. 20 CHAIRMAN DUZAN: We have a motion and a 21 second, we'll have a vote. 21 SECRETARY FIELDS: Dr. Jarman? 22 SECRETARY FIELDS: Mr. Lee? 23 DR. JARMAN: Yes. 3 SECRETARY FIELDS: Mr. Lee? 4 MR. MATHESON: Yes. 5 SECRETARY FIELDS: Mr. Matheson? 4 MR. MATHESON: Yes. 5 SECRETARY FIELDS: Mr. Smith? 6 MR. SMITH: Yes. 6 MR. SMITH: Yes. 7 SECRETARY FIELDS: Mr. Sowers? 8 SECRETARY FIELDS: Mr. Sowers? 10 VICE-CHAIRMAN DUZAN: Yes. 11 SECRETARY FIELDS: Mr. Winegardner? 12 MR. WINEGARDNER: Yes. 13 SECRETARY FIELDS: Mr. Winegardner? 14 Chairman MR. Winegardner? 15 Or the new Subchapter 7, but you can see for the cauthoring appendices, B through I, the updates that 1 were made, and these primarily consisted of changing and changing appendices. Please ignore anactive 5 rule, so that was changed to OAC 252:690-68, which is the deals with biosolids requirements. Subchapter 5 aleas with biosolids requirements. Subchapter 5 aleas the polacy of charles the organization of OAC 252:510 and OAC 252:51
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14 CHAIRMAN DUZAN: Yes. 14 and changing references from OWRB to DEQ where
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15 SECRETARY FIELDS: Motion passed. 15 applicable.
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16 CHAIRMAN DUZAN: On to 252:690, "Water 16 Now, DEQ staff is also proposing an
17 Quality Standards Implementation".
Mr. Clagg? 18 reference from July 19, 2021, to July 1, 2022. The
MR. CLAGG: For permanent rulemaking, DEQ 19 final regulatory change is the same as we have
20 staff is proposing updates to this chapter that 20 discussed with Chapter 606 earlier that consisted of
21 include those made during the emergency rulemaking 21 a technical amendment to modify the submission
22 process which consisted of changing references from 22 location for Continuous Release Reports subject to
23 785:45 to 252:730, 785 Chapter 46 to 252:740, and 23 the Comprehensive Environmental Response,
, , , , , , , , , , , , , , , , , , , ,
24 references, where applicable, to DEQ instead of the 25 OWRB. Other changes made during the emergency 24 Compensation, and Liability Act. These reports were 25 submitted to respective EPA regional offices but

1	with the technical amendment EPA now requires	1	SECRETARY FIELDS: Mr. Matheson?
2	reports be submitted to the appropriate EPA	2	MR. MATHESON: Yes.
3	Headquarters office. The amendment also corrected a	3	SECRETARY FIELDS: Dr. Moore?
4	typographical error, corrected citations within the	4	DR. MOORE: Yes.
5	section, and amended the listed authority. We	5	SECRETARY FIELDS: Mr. Smith?
6	incorporate by reference this section of 40 CFR	6	MR. SMITH: Yes.
7	because of spill prevention, response and reporting	7	SECRETARY FIELDS: Mr. Sowers?
8	requirements specified in some of our permits.	В	VICE-CHAIRMAN SOWERS: Yes.
9	From a review of the proposed rule	9	SECRETARY FIELDS: Mr. Winegardner?
10	text, the council can see that the proposed updates	10	MR. WINEGARDNER: Yes.
11	affect Subchapter 1 (Introduction), Subchapter 3,	11	SECRETARY FIELDS: Mr. Duzan?
12	titled "Point Source Discharges", Subchapter 5,	12	CHAIRMAN DUZAN: Yes.
13	titled "Groundwater Protection", and the new	13	SECRETARY FIELDS: Motion passed.
14	Subchapter 7, titled "Water Quality Standards	14	CHAIRMAN DUZAN: Okay. On to 252:710,
15	Implementation Plan, Oklahoma Department of	15	
	Environmental Quality", as well as the appendices.	16	Certification".
17	In conclusion, DEQ staff is asking	17	Mr. Clagg?
18	the council to recommend to the Environmental	18	MR. CLAGG: Okay. For permanent
19	Quality Board this permanent rulemaking for Chapter	19	rulemaking, DEQ staff is proposing several updates
	690.	20	to this chapter and I want to note that there was a
21	CHAIRMAN DUZAN: Thank you.	21	workgroup consisting of DEQ personnel and external
22	Questions or comments from the	22	stakeholders that was formed and met to discuss the
23	council?	23	proposed changes to this rule. The first update is
24	MR. SMITH: I have one question for Brian.	24	found in Subchapter 1, titled "General Provisions",
25	As we discussed before the meeting, I	25	where language is proposed to allow DEQ to
	noted that one strike-out. So, does should that	П	Page 6
	not is that correct as it was struck out?		permanently revoke, or revoke for a set time, an operator's certification. This update was
3	MR. CLAGG: Yeah, I believe that would be	ł	recommended by DEQ's legal staff to provide clarity
1	because you're looking at the marked-up version		to DEQ's authority regarding revoking of licenses.
	of the appendices; so that would be what was taken		The second update is found in Subchapter 3, titled
	out, absolutely.		"Certification" to better define special
7	CHAIRMAN DUZAN: Okay. And I guess this	ı	requirements for instructors of approved training
B	is where we need to state the submission of the		courses. This proposed update is to conform our
	information on the variances from the Scenic Rivers		rule to our current practice which requires
	people again.		instructors take a DEQ-proctored exam. Lastly, DEQ
11	So, any other questions or comments	11	
1	from the council?	ı	staff is proposing to update Subchapter 5 (Duties and Responsibilities) to allow recording of
13	Questions or comments from the		laboratory analysis utilizing software applications
1	public?		- · · · · · · · · · · · · · · · · · · ·
15	Then we'll entertain a motion.		in addition to bound volumes. The proposed language requires the software application be protected by
16	MR. SMITH: Move to adopt.		some form of electronic authorization and that all
17	VICE-CHAIRMAN SOWERS: Second.	17	entries be date and time stamped and include an
18	CHAIRMAN DUZAN: We have a motion and a	18	audit trail.
1	second, we'll have a vote.	19	
20	SECRETARY FIELDS: Dr. Jarman?	20	In conclusion, DEQ staff is asking the council to recommend to the Environmental
21	DR. JARMAN: Yes.	21	
22	SECRETARY FIELDS: Mr. Lee?	22	Quality Board this permanent rulemaking for Chapter 710. Thank you.
23	MR. LEE: Yes.	23	-
24	SECRETARY FIELDS: Ms. Mach?	24	CHAIRMAN DUZAN: Thank you, sir.
25	MS. MACH: Yes.		Questions or comments from the council?
	WID. WINCH. 10S.	23	councit?

1	MR. LEE: Yeah, Mr. Chair.	1	public? Page 67
2	•	2	•
3	wished that they had the ability to permanently	3	,
	· · · · · · · · · · · · · · · · · · ·	4	
5	MR. CLAGG: How many times?	5	CHAIRMAN DUZAN: We have a motion and a
6	MR. LEE: Yeah. Is this a	6	
7	MR. CLAGG: I don't know if I could	7	•
8	quantify that.	8	
9	Shellie?	9	SECRETARY FIELDS: Mr. Lee?
10	MS. CHARD: So, I don't know an exact	10	
11	number. I can tell you that we have run into a	11	SECRETARY FIELDS: Ms. Mach?
	series of cases where we have had individuals who	12	MS. MACH: Yes.
	were charged and ultimately either pled guilty or	13	SECRETARY FIELDS: Mr. Matheson?
	were convicted, mostly in federal court, of	14	
	violations of criminal violations related to the	15	
	operation of a treatment plant or their laboratory.	16	
	Quickly, I can think of three or four of those.	17	
18	We've got a situation ongoing right	18	MR. SMITH: Yes
19	now that we're going to see in a couple of	19	SECRETARY FIELDS: Mr. Sowers?
20		20	VICE-CHAIRMAN SOWERS: Yes.
21	soon, and what we've had to do is go in manually	21	SECRETARY FIELDS: Mr. Winegardner?
	every year when it's time to renew, if they request	22	
	to renew, to determine each year that it's not	23	
	-	24	
25	And this just gives us the ability to	25	SECRETARY FIELDS: Motion passed.
1	say, 'You're done'. It's not just a unilateral,	1	CHAIRMAN DUZAN: Okay. Thank you very
	staff makes the call and it's over, there is a	'	much, Mr. Clagg, that was a lot of information to
	process and we do follow the state administrative		put together and put forward, you did a remarkable
	procedures for doing something like that.		job.
5	MR. LEE: Ms. Chard, is this similar to	5	MR. CLAGG: Thank you.
6	other state agencies that issue licenses? Like, I	6	CHAIRMAN DUZAN: Thank you very much, sir.
	heard Mr. Carr mention Kansas. Have we looked at	7	We're going to move on to the
8	other states to see if this is similar to their	8	Director's Report now, Shellie Chard.
9	MS. CHARD: There are this is one of	9	MS. CHARD: Okay. And I would first like
10	those programs that is very state-specific. Some	10	to say that both Land Protection and ECLS Divisions
1	states are very prescribed and have what I would	l	do not have a report to offer at this meeting, but
	consider a very short leash, there are some states		Jeff Franklin from the lab does have a brief report
	I assume we all based our programs on something	l	for you.
	similar because there have been many states that	14	MR. FRANKLIN: Good afternoon, everyone.
	were like us that, over the last five years or so,	15	Yeah, thanks, Shellie,
	have been making changes into how those licenses can	16	A couple of things to follow up on
-1	be revoked or they've had some other driver behind	17	what we've talked about before and some new items in
	it. Each state agency for each license puts		our world. We've talked about our mobile lab in the
19	together their own disciplinary process for	19	
	state-issued licenses, ranging from very lenient to	20	and currently it is being wrapped with the state and
	not.	21	agency logo. We expect that to be done by the end
22	MR. LEE: Okay. That helps, thank you.	22	
23	CHAIRMAN DUZAN: Okay. Any other	23	next month.
24	questions or comments from the council?	24	As a reminder, we plan to use it for
25	Questions or comments from the	25	·
		_	

25

That's really the major things that I

1 assistance program, lead testing in schools, and for 1 have for you today; so at that point, I'll take any 2 targeted outreach as a training hub, basically. ² questions you may have. 3 A few things about our lab capacity, CHAIRMAN DUZAN: It's always good to have 4 we've officially completed all of our UCMR 5 4 some lab information at these meetings, we all know 5 analytical requirements and have been granted TNI 5 that's the most important part of water quality. 6 accreditation for PFAS testing in drinking water. MR. FRANKLIN: Okay. Thank you. 7 We're pretty excited about that, we have several MS. CHARD: All right. Thanks, Jeff. 1 8 large systems in line to begin sampling in February ⁸ do have four things that I do want to touch on with 9 of 2023. 9 you that are kind of -- some of them, very 10 We also are in the process of 10 late-breaking. 11 acquiring another LC-MS/MS using CEC funding to use 11 In true EPA fashion, we did have the 12 for HAB events in support of drinking water, source 12 Waters of the U.S., also known as WOTUS, and the 13 water. So that is just getting started, but we're 13 Clean Water Rule, the EPA released that on 14 pretty excited about bringing technology along. 14 December 30th. So when that came out, we were a 15 Staffing, our longtime lab 15 little bit surprised because there's still a Supreme 16 accreditation manager, David Caldwell, some of you 16 Court case pending, and EPA said, 'Well, we've based 17 know he retired in October 1st; however, we believe 17 our rule on science and Supreme Court decisions, and 18 this program is in good standing. Several of our 18 if we get a new Supreme Court decision, then we'll 19 certification officers have recently completed EPA 19 update at that point. The Sackett case was heard, 20 certification officer training which hadn't, 20 so we are expecting a decision sometime, I would say 21 unfortunately, been offered since before the 21 before summer; so there's definitely more to come. 22 pandemic, so we've got those through, so that's a 22 One good thing that definitely was in 23 good thing for us. 23 the rule - hopefully, it will stay there no matter 24 We continue to struggle with turnover 24 what happens -- EPA did specifically carve out 25 in the laboratory. We've lost a combination of 12 25 wastewater treatment facilities or -- be it Page 70 Page 72 1 scientists and managers over the last year. The 1 impoundments or tanks or clarifiers, they are not 2 good news is we've been able to replace them, quite 2 Waters of the U.S. 3 frankly, with some superstars that have been able to 3 There was some question in certain 4 right the ship, so -- but it continues to happen. 4 states if you had a large flow equalization basin or 5 We got another one last week that came out of the 5 aeration basin or lagoon that was multicell and you 6 blue, a different world we live in when it comes to 6 had some fish in there, they considered that to be 7 that. 7 Waters of the U.S. So we did not have that 8 A little bit of a budget update for 8 experience with the Corps of Engineers in Oklahoma. ⁹ this as we prepare for budget season. Supply chain 9 but now the rule does specifically say that's not 10 issues and rising costs continue to put an 10 Waters of the U.S. 11 unpredictable burden on our budget and threaten lab 11 They used terms of significant 12 capacity in an unpredictable manner. That continues 12 national waterbody or a waterbody that impacts a 13 to be a major challenge for us. Probably, Brian can 13 large downstream significant waterbody. So, not 14 relate to some of that. 14 totally sure what it's all going to mean. There was 15 Just a little bit -- snippet on 15 about 500 pages of the rule and supplemental 16 rulemaking. With David's retirement, we've been 16 information that was released, along with two memos, 17 forced to take a real hard look at our lab one between the Corps of Engineers and USDA and one 18 accreditation program. We're trying to improve its 18 between the Corps and EPA that has additional 19 effectiveness and its user-friendliness. Right now, 19 guidance and agreements that they have come to. 20 we've got a focus on the application process; so you 20 So stay tuned, we're definitely going 21 can expect some very favorable, in our opinion, 21 to be hearing more, and the bonus information was 22 rulemaking to come down the line for 301, 302, and 22 EPA said, 'Well, this is really an operational-type 23 307 as soon as we can get a little bit more 23 rule, we may have a rule two that comes out'. Don't 24 organized, so that's just a heads-up. 24 have any idea what that's going to be, but we are

25 definitely paying attention to that, and if you have

24 not saying -- some of it clearly makes sense, some

25 of it we don't understand at all. We, historically,

1 an interest, you may want to, as well. 1 work well with our tribal partners. We know that in 2 EPA did say they were going to be 2 some states, in some of horror stories that I've 3 doing some training sometime in the earlier part of 3 heard from both tribes and states, they don't get 4 this year. I'm hoping that's going to be online so 4 along well and they don't work well together. 5 that we can have a lot of people attend that and Because our relationship and the 6 kind of try to figure it out. 6 downstream state standards apply to certain types of We also had EPA release, yesterday, ⁷ discharges, we generally try to work through those 8 in ECHO -- which is the enforcement and compliance 8 issues. We try to respect the tribes' right to keep 9 tracking online website -- the map shows a huge part ⁹ their rituals confined to only tribal members. When 10 of Oklahoma in the red. Which, if you look at that, 10 they've asked us to do anything, it's been 11 since it's a PFAS tracker you would assume that is reasonable and hasn't been a problem. There are 12 where there has been high levels of PFAS or where 12 some things in this that we are looking at because 13 there has been sampling done. we don't want to lose our ability to cooperate, and 14 Well, the disclaimer is, 'Well, this so there are some concerns on a couple of issues. 15 is where they would estimate that there would be 15 The way the standards are set up, we 16 high levels of PFAS'. And from what we can tell, 16 do have public and private water supply uses, 17 anyplace where there's manufacturing, anyplace there primary body contact uses, agriculture uses, fish 18 are oil and gas wells are - show up on that list or and wildlife propagation, so we're kind of hoping 19 in the map. It also appears to include most of the that we will be able to work through the process and 20 bigger airports, where those would be located and use some of those specific designations that are 21 military facilities. already there to be sure to include what we need to 22 We're trying to figure out how they in working with our tribal partners. 23 came to these conclusions, we don't know yet. EPA But this one is going to be 24 has said they will have discussions with us, but 24 interesting. EPA didn't really talk a whole lot to 25 from what we can tell and based on their own 25 the states; so we don't know some of the background Page 74 on some of the provisions. We do know a couple of 1 disclaimer, it's not based on what's actually been ² monitored, detected, or anything like that. So you 2 things come from some West Coast lawsuits, so we're 3 may want to kind of watch the developments on that, just trying to work our way through all of that. 4 and we'll keep you updated if there's anything new And we'll be having a meeting later 5 that comes from that. 5 this month with EPA that was already scheduled on We also have out right now for public 6 water quality standards as part of the transition 7 comment through March 6th, it's Tribal Water Quality 7 process, but now we have another topic that we'll be 8 Standards Rule that EPA has released. We're trying 8 seeking some guidance and trying to find our way 9 to go through that right now and identify what our 9 through that in a common-sense, reasonable approach. 10 comments would be. So far, I believe our Chief of 10 So we will see how that turns out, but that did just 11 Staff has at least a page, maybe more, of issues come out shortly before the holidays, but it has a 12 that we will be raising. We're still looking at it 12 March 6th deadline for comments. 13 from a technical standpoint. And one last item, related to 14 There are some interesting things in 14 stormwater, that is the MS4 Stormwater program has 15 there related to it's not just current uses, always been based on the census definition of 16 historical tribal uses could be included in the urbanized area based on the every-10-year census. 17 water quality standards. And there's a statement The Census Bureau is no longer using that term. We 18 that if a tribe asks a state to include something in 18 haven't seen the result of what they're going to 19 the standards and the state declines, then EPA can come out with and what terms they're going to use, 20 promulgate water quality standards; we don't know if but because of that, EPA is pausing the addition of 21 it means just for that particular issue or how that new MS4 systems being added into the program. They 22 affects other water quality standards. 22 still have the authority at -- the residual Right now, we have lots of questions, 23 designation authority that they can add whatever

24 they want to add based on that, if it meets that

25 criteria. The states have been given the guidance

25 over on the table, where -- copies of information,

1 to not add any unless we wanted to use that, you 1 and then I believe you all have it in your binders. 2 know, we've referred to as the nuclear option that 2 This is the DEQ staff working with our systems. 3 brings in people that really are not true MS4s. 3 trying to help them meet the new Lead Service Line 4 We've seen some of the environmental activist groups 4 Inventory requirement, looking at some training 5 use that in the New England states and in California 5 across the state. 6 and Washington and Oregon; so we're not going to 6 We are working with some of our 7 touch RDA at this point, but we will be waiting to 7 training providers and some of our larger systems, 8 see what EPA does. 8 helping us put together some approaches that might All of that information was scheduled 9 transfer well to smaller systems, but trying to get 10 out in 2022, as we all know, we're sitting here in 10 ahead of the new Lead and Copper Rule when it comes 11 January of 2023 and there has been no additional 11 out. 12 guidance on that. But if you have an interest, EPA 12 So if you have questions, we can put 13 does have a website dedicated to this matter through 13 you in contact with our PWS staff and they can 14 the stormwater program website, and you can just 14 answer those for you or take care of any 15 Google stormwater interim guidance and you can get 15 registration issues. We have already been asked 16 all of that information or you can let us know and 16 will operators get training hours for this, yes, 17 we can get you the website or get you in contact 17 they will. These are approved training for renewal 18 with the right people at EPA for that discussion. 18 hours. 19 19 So all of those are things we're CHAIRMAN DUZAN: Okay. Our next meeting 20 watching, waiting, and we'll see how they ultimately 20 is April 18th at 2:00 p.m., right here in this 21 impact our programs. Sometimes, it looks big and 21 building, and the next EQB, Environmental Quality 22 ominous and it turns out it's not, sometimes it 22 Board, is February 17th? 23 looks straightforward and easy and those are ones 23 MS. CHARD: Friday, in this building --24 that come back to bite us because we didn't really 24 the 17th, in this building, 9:30 a.m. 25 understand the intent. So those are things we'll be 25 CHAIRMAN DUZAN: Okay. There you go. Page 78 Page 80 1 watching and looking for. 1 With that, I will take a motion for And Mr. Jarmon, you asked a question 2 adjournment, 3 about PFAS methods. There is a method that is under DR. JARMAN: I make a motion to move to 4 development right now, that EPA is strongly 4 adjournment. 5 encouraging everyone to use, but it has not been MS. MACH: Second. 6 multi-lab validated, it has only been single-lab 6 CHAIRMAN DUZAN: Okay. We have a motion 7 validated. So definitely much more to come on the 7 and a second, we'll have a vote. ⁸ analytical method process, but so far, that one has SECRETARY FIELDS: Dr. Jarman? 9 not come out and we have not had the rulemaking 9 DR. JARMAN: Yes. 10 process that we would have to adopt or justify not 10 SECRETARY FIELDS: Mr. Lee? 11 adopting. 11 MR. LEE: Yes. 12 12 So with that, I will turn it to you SECRETARY FIELDS: Ms. Mach? 13 all if you have any questions, and we promise we 13 MS. MACH: Yes. 14 won't do this many rulemaking until the legislature 14 SECRETARY FIELDS: Mr. Matheson? 15 tells us to. 15 MR. MATHESON: Yes. 16 16 CHAIRMAN DUZAN: Thank you, Shellie. SECRETARY FIELDS: Dr. Moore? 17 17 Anybody with questions or comments DR. MOORE: Yes. 18 for Shellie? 18 SECRETARY FIELDS: Mr. Smith? 19 Okay. Thank you very much. 19 MR. SMITH: Yes. 20 20 Next on the agenda is new business, SECRETARY FIELDS: Mr. Sowers? 21 and I do not believe we have any new business. 21 VICE-CHAIRMAN SOWERS: Yes. 22 22 Under announcements, Lead Service SECRETARY FIELDS: Mr. Winegardner? 23 Line Inventory training. 23 MR. WINEGARDNER: Yes. 24 MS. CHARD: So there's a flyer that is 24 SECRETARY FIELDS: Mr. Duzan?

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PROFESSIONAL REPORTERS

CHAIRMAN DUZAN: Yes.

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 1	1 2 3 4 5 6 7 8	CHAIRMAN DUZAN: So, we are adjourned. (MEETING ADJOURNED AT 2:29 PM)
12 13 14 15 16 17 18 19 20 21 22 23 24 25 1 CERTIFICATE 1, 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 9 interested in the event of said action. 9 IN WITNESS WHEREOF, I have hereunto 10 set my hand and official seal this 17th day of 11 January, 2023. 12 13 14 Jenny Longley, CSR 15 CSR # 1903 16 17 18 19 20 21 22 23	10	
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WATER QUALITY MANAGEMENT ADVISORY COUNCIL

Attendance Record
January 5, 2023
Department of Environmental Quality
Oklahoma City, Oklahoma

CHECK BOX TO COMMENT

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Brian Duzan	Gir	Brianda green contytedin con
Eric Lee e	ity of Tulsa	Briand@ green country testing. con elec@ cityoftulsa.org
		wbsnith@hismc.us
Bu Sum.	rel DED	Shellie Chardadog Ok. grev
Brian Clagg	DEW	brion. clagged of. a. dur.
april great	e DEQ	april exertera deg. O/CA
Chane Vrigard	mer WAMAC.	duanewinegardner @ cox. net
Ulliana to		
Fliceary C	Dia	hillary youg Odes de ser
Karen Steele	DEQ.	Karen. Steele l' deg. ok. gov
JEST Everett	OGOE	evertide oge com
Sarah Angrel	DEQ	Sarah. angrai @deg. or. gov
Joe Long	DEO	joe long & deg ok gov
Jennifer For Co	DEQ	
Joff fangerin	DEA	JIH. FRANKLIN WIR. OF GOV
James Jackson	1 Muscose Wate	
Fol Wan	OMCA	
EDFITE	GRDA	edward ofite grada . com
GREG CARR	DEA	gregory. Car a deg. ok. gov
Michelle Wy	m DEQ	001
Emp Hoskin	DFQ	enul, hashing deg. UKGEV
Mark Holebia	DEB	Marka orwa org
Mark Mather	or orwa	Marka orwa org



WATER QUALITY MANAGEMENT ADVISORY COUNCIL

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Ahndra Ablet	1 Chodaw No	tim aduran-ableHar hoctow nature
Jord Mobrie	Specker Motion	junctudo a chartan hoten con
Mary E Mach	favor	menache garverusa com
Stisan Mensil	ODEO	Susun mensikedogok.jov
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