

DRAFT MINUTES
Solid Waste Management Advisory Council
January 9, 2025 Regular Meeting
Department of Environmental Quality
Multipurpose Room 707 N. Robinson
Oklahoma City, Oklahoma

Official SWMAC Approval
at April 10, 2025 meeting

Notice of Public Meeting - The Solid Waste Management Advisory Council convened for its Regular Meeting at 9:00 a.m. on January 9, 2025, in accordance with the Open Meeting Act, Section 311 of Title 25 of the Oklahoma Statutes. Notice of Regular Meeting was filed to the Office of the Secretary of State on October 24, 2024. Agendas were posted on the entrance doors at the Department of Environmental Quality (DEQ) Central Office in Oklahoma City at least twenty-four hours prior to the meeting. Mr. Jim Linn, Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

MEMBERS PRESENT

Todd Adcock
Karl Evans
Rachel Hanigan
Jody Reinhart
April Sacha
Christopher Schaefer
Jim Linn

DEQ STAFF PRESENT

Kelly Dixon
Patrick Riley
Michele Woods
Anne Marie Smith
Kole Kennedy
Clifton Hoyle
Chris Robinson
Jonathan Allen
Amber Edwards
Michelle Wynn
Mike Edwards
Nick Hazelrigg
Jeff Biddick
Quiana Fields

MEMBERS ABSENT

Piotr Baidas
Rodney Cleveland
Robert Joyce

OTHERS PRESENT

Jenny Longley, Court Reporter
Bud Ground, EFO

Introduction of newly appointed Council Member – Mr. Linn introduced Mr. Karl Evans to the Solid Waste Management Advisory Council.

See transcript pages 3 – 5

Approval of the Minutes for the September 12, 2024, Solid Waste Management Advisory Council Meeting – Mr. Linn called for a motion to approve the September 12, 2024 Minutes. Mr. Adcock moved to approve and Mr. Evans made the second.

See transcript pages 6 – 7

Roll Call

Todd Adcock	Yes	April Sacha	Yes
Karl Evans	Yes	Christopher Schaefer	Yes
Rachel Hanigan	Yes	Jim Linn	Yes
Jody Reinhart	Yes		

Director's Report – Mr. Patrick Riley of the LPD, provided an update on Division activities.

See transcript pages 7 – 8

Public Rulemaking Hearing

Discussion of proposed changes to Chapter 517 Management of Coal Combustion Residuals (CCR) – Mr. Jeff Biddick of the LPD, stated that the Department of Environmental Quality is presenting, for formal vote proposed revisions to Chapter 517. Revisions are necessary to incorporate changes to the federal regulations and maintain Oklahoma program approval. The changes are for CCR Management Units (CCRMUs) and Legacy CCR Surface Impoundments. Hearing questions and comments by the Council but none by the public, Mr. Linn called for a motion. Ms. Sacha made a motion for the amended language that was presented by Mr. Biddick and Ms. Reinhart made the second.

See transcript pages 8 – 19

Roll Call			
Todd Adcock	Yes	April Sacha	Yes
Karl Evans	Yes	Christopher Schaefer	Yes
Rachel Hanigan	Yes	Jim Linn	Yes
Jody Reinhart	Yes		

Public Forum – Mr. Ricky Martin spoke on regulation to burn medical waste.

See transcript pages 19 - 30

New Business – None

Adjournment – Mr. Linn called for a motion to adjourn the meeting. Ms. Hanigan moved to adjourn and Ms. Reinhart made the second. The meeting was adjourned at 10:37 a.m.

See transcript page 31

Roll Call			
Todd Adcock	Yes	April Sacha	Yes
Karl Evans	Yes	Christopher Schaefer	Yes
Rachel Hanigan	Yes	Jim Linn	Yes
Jody Reinhart	Yes		

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

Page 1 1 SOLID WASTE MANAGEMENT ADVISORY COUNCIL MEETING 2 ON JANUARY 9, 2025 AT 10:00 AM 3 IN OKLAHOMA CITY, OKLAHOMA 4 5 6 MEMBERS PRESENT 7 Todd Adcock 8 Karl Evans 9 Rachel Hanigan 10 Jim Linn 11 Christopher Schaefer 12 Jody Reinhart 13 April Sacha 14 15 16 17 MEMBERS ABSENT 18 Robert Joyce 19 Piotr Baidas 20 Rodney Cleveland 21 22 23 24 25 REPORTED BY: Jenny Longley, CSR	Page 3 1 Mr. Evans? 2 MR. EVANS: Here. 3 SECRETARY FIELDS: Ms. Hanigan? 4 MS. HANIGAN: Here. 5 SECRETARY FIELDS: Mr. Joyce is absent. 6 Ms. Reinhart? 7 MS. REINHART: Here. 8 SECRETARY FIELDS: Ms. Sacha? 9 MS. SACHA: Here. 10 SECRETARY FIELDS: Mr. Schaefer? 11 MR. SCHAEFER: Here. 12 SECRETARY FIELDS: Mr. Linn? 13 CHAIRMAN LINN: Here. 14 SECRETARY FIELDS: We have a quorum. 15 CHAIRMAN LINN: All right. Takes care of 16 items 1 and 2, we'll go to 3. 17 There's a new face on the panel, as 18 you can see. Item 3 reads, "Introduction of newly 19 appointed Council Member". I'd like to introduce 20 everybody to Karl Evans, and I will read his bio for 21 you so that you get a feel for what an interesting 22 life this man must be living. 23 Karl Evans was raised on an agrarian 24 homestead - agrarian homestead - in northwest Garvin 25 County, Oklahoma, and graduated from East Central
Page 2 1 PROCEEDINGS 2 CHAIRMAN LINN: Good morning, everyone. 3 We will begin with the protocol statement. 4 This January 9, 2025 regular meeting 5 of the Solid Waste Management Advisory Council was 6 called in accordance with the Open Meeting Act. 7 Notice was filed with the Secretary of State on 8 October 24, 2024. The agenda was duly posted on the 9 doors of the DEQ, 707 North Robinson, Oklahoma City, 10 Oklahoma, at least 24 hours prior to the meeting. 11 Only matters appearing on the posted 12 agenda may be considered at this regular meeting. 13 In the event that this meeting is continued or 14 reconvened, public notice of the date, time, and 15 place of the continued meeting will be given by 16 announcement at this meeting. Only matters 17 appearing on the agenda of a meeting which is 18 continued may be discussed at the continued or 19 reconvened meeting. 20 And with that, Ms. Fields, let's do a 21 roll call, please. 22 SECRETARY FIELDS: Mr. Adcock? 23 MR. ADCOCK: Here. 24 SECRETARY FIELDS: Mr. Baidas is absent. 25 Mr. Cleveland is absent.	Page 4 1 University in Ada with a degree in Environmental 2 Science. Over the years, he has built a successful 3 career in environmental management, working in 4 various leadership roles across multiple industries. 5 Karl began his professional 6 environmental journey as a Project Manager at a 7 consulting engineering firm in Oklahoma City, where 8 he managed industrial wastewater projects for both 9 commercial and municipal clients. His career in 10 waste management began with Allied Waste, where he 11 served as a Corporate Environmental Auditor, 12 responsible for inspecting 104 landfills across the 13 central U.S. 14 After several years of extensive 15 travel and the addition of a second child to his 16 family, Karl transitioned into Environmental 17 Management, overseeing sites in Oklahoma and Texas. 18 With over 20 years of experience, he has developed a 19 deep expertise in environmental compliance and site 20 management. 21 Karl currently serves as the Board of 22 Governors representative for the NWRA, which is the 23 National Waste and Recycling Association, for the 24 state of Oklahoma. Additionally, he holds the 25 position of Vice Chair Commissioner for the City of

1 Newcastle, further demonstrating his commitment to 2 community leadership. 3 Outside of his professional work, 4 Karl enjoys playing board games, traveling, and is 5 dedicated to making Newcastle a great place to live. 6 Round of applause, please, for our 7 newest member. 8 [Applause.] 9 CHAIRMAN LINN: Karl, this would be a 10 point where you'd -- if want to say a couple of 11 words. 12 Is that okay, my attorney? 13 MR. EVANS: I have no words to follow that 14 with, Jim. 15 CHAIRMAN LINN: Well, let's pass that down 16 to Jenny so that she's got a copy of that in case I 17 read something new here, what have you. 18 So welcome, Karl, glad to have you 19 aboard. And I think at the last meeting, I 20 mentioned that the Council wanted to pass along 21 thanks to Brenda Merchant, who vacated her seat on 22 the Council, and Karl is the replacement. 23 In transportation, right? 24 MR. EVANS: Yes, that's correct. 25 CHAIRMAN LINN: Okay. Very well.	Page 5 1 SECRETARY FIELDS: Mr. Schaefer? 2 MR. SCHAEFER: Yes. 3 SECRETARY FIELDS: Mr. Linn? 4 CHAIRMAN LINN: Yes. 5 SECRETARY FIELDS: Motion passed. 6 CHAIRMAN LINN: Thank you. 7 Item 5 is the Director's Report from 8 DEQ. 9 MR. RILEY: Thank you. 10 This agenda item is intended for DEQ 11 to provide any updates that may be of general 12 interest to the Council, and our Land Protection 13 Division Director, Kelly Dixon, sometimes has lots 14 of things to say and sometimes does not have a lot 15 to share. So today, we don't have a lot to share. 16 I would point out a couple of things 17 that may be of interest. The first one is that our 18 Solid Waste Management grants to communities and 19 nonprofits, the application window is open for them 20 now. If you recall, at our September meeting we go 21 through the budget and expenditures and kind of 22 showcase the work that's been done by those 23 grantees. 24 Now is the time of year when they can 25 apply for a grant that would start in the fiscal Page 7
1 Let's move on to item 4, Approval of 2 the Minutes for the September 12, 2024 Solid Waste 3 Management Advisory Council Meeting, and it calls 4 for a Roll Call Vote by the Council. 5 Ms. Fields? 6 SECRETARY FIELDS: We need to get a 7 motion. 8 MR. ADCOCK: Motion to approve. 9 CHAIRMAN LINN: Thank you. 10 She's always reminding me about the 11 motions. 12 MR. EVANS: Second. 13 CHAIRMAN LINN: Did I hear a second? 14 MR. EVANS: Second. 15 CHAIRMAN LINN: Okay. 16 SECRETARY FIELDS: Mr. Adcock? 17 MR. ADCOCK: Yes. 18 SECRETARY FIELDS: Mr. Evans? 19 MR. EVANS: Yes. 20 SECRETARY FIELDS: Ms. Hanigan? 21 MS. HANIGAN: Yes. 22 SECRETARY FIELDS: Ms. Reinhart? 23 MS. REINHART: Yes. 24 SECRETARY FIELDS: Ms. Sacha? 25 MS. SACHA: Yes.	Page 6 1 year, this next fiscal year, July 1. So if you know 2 of any communities that are interested in hazardous 3 waste collection events or need equipment to manage 4 solid waste or have other things, I would encourage 5 you to go to the website and share that link with 6 them. 7 The other thing that I would point 8 out is that -- of interest to this Council is the 9 regulation of PFAS. So there is another bill that 10 is running this session, it is nearly identical to 11 the bill that was proposed the last session. If it 12 passes, there will be rulemaking activity for the 13 Council; so you might keep up with that, see what 14 happens. 15 And that's all I have for this agenda 16 item. If there are any questions, I can certainly 17 share what I know. 18 CHAIRMAN LINN: All right. Thank you, 19 Patrick. 20 We'll move on to Number 6, so Public 21 Rulemaking Hearing, and it's relative to discussion 22 of proposed changes to Chapter 517, Management of 23 Coal Combustion Residuals, or CCR. 24 The Department of Environmental 25 Quality is presenting for formal vote proposed Page 8

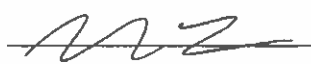
1 revisions to Chapter 517. Revisions are necessary 2 to incorporate changes to the federal regulations 3 and maintain Oklahoma program approval. The changes 4 are for CCR Management Units, or CCRMUS, and Legacy 5 CCR Surface Impoundments. And it looks like we have 6 a presentation by Jeff Biddick. 7 Morning, Jeff. 8 MR. BIDDICK: Good morning. Thank you. 9 Yeah, so my name is Jeff Biddick. I work in the 10 Solid Waste Permitting section here at DEQ, and I 11 also help out with rule changes periodically. 12 So last September in the Council 13 meeting, we discussed for informational purposes at 14 that time some recent changes to the federal CCR 15 regulations that EPA had recently implemented. 16 Today, we are proposing those changes into our state 17 program for formal vote. 18 So, a quick overview. The federal 19 CCR regulations can be found at 40 C.F.R. part 257, 20 subpart (d). The most recent set of rule changes on 21 the federal level went into effect on November 8, 22 2024, and these rules are self-implementing, which 23 means that CCR facilities across the country must 24 comply with the federal rules without any action by 25 a regulatory agency.	Page 9 1 So on page 14 of the rules text, 2 under the heading "Subchapter 11, Design Criteria", 3 under paragraph (a), what I have here on the screen 4 should be what you see in your packet. And there's 5 a correction that we would like to propose for vote 6 today, and what you can see on the screen now is how 7 it should read for this rule change. 8 This just corrects an oversight that 9 we caught a few days ago; so this brings it more in 10 line with the way it reads in the federal text. 11 It's a pretty minor change, but it's just making 12 sure the text is as clear and accurate as possible. 13 So for the record, I can read what 14 11-4(a) should read as the final text. It should 15 say, "The requirements of paragraphs (a)(1) through 16 (4) of this section apply to all existing CCR 17 Surface Impoundments and Legacy CCR Surface 18 Impoundments except for those that are incised CCR 19 Surface Impoundments". 20 So that's all I have for right now. 21 I'll be here to answer any questions, and I'll kick 22 it back to you all for discussion. 23 CHAIRMAN LINN: Questions or discussion by 24 Council? Okay. Hearing none -- 25 MS. HANIGAN: I think I want to --
Page 10 1 Nevertheless, Oklahoma is one of the 2 few states in the country with an approved CCR 3 program. Our CCR program mirrors the federal rule 4 and can be found at OAC 252 Chapter 517, and in 5 order for us to maintain approval of our state 6 program, our rules must be at least as protective as 7 the federal counterpart. 8 So I'll give a quick overview of what 9 these changes are. So the majority of these changes 10 are for Legacy CCR Surface Impoundments and CCR 11 Management Units. This includes some miscellaneous 12 changes, including updated closure standards, 13 increased document retention timelines on facility 14 websites, and other citation and technical 15 corrections. 16 So again, I want to emphasize that we 17 are trying to stick as closely as possible to the 18 changes that EPA has made and we're just 19 incorporating those changes into our state rule. 20 So I won't go into great detail on 21 these, but I wanted to give a quick overview and 22 then I'll kick it back to the Council for any 23 questions or discussion. But before we do that, I 24 wanted to point out one correction that we 25 identified after we sent the packet out to you all.	Page 12 1 CHAIRMAN LINN: Go ahead, Rachel. 2 MS. HANIGAN: Maybe just some color from 3 the DEQ. There's a lot of date references in here 4 to this November 8th of 2024, and for the folks that 5 are going to be impacted by that, that time has 6 already come and gone, right? And there's -- that 7 date comes up particularly in some of the closure 8 requirements and submittal requirements. 9 So how is DEQ going to handle that? 10 I mean, these -- if these rules are passed, we have 11 folks that should have already made submittals to 12 you guys for review, correct? 13 MR. RILEY: You want to take that, Jeff? 14 MR. BIDDICK: Yeah. So like I said, the 15 federal rules are self-implementing; so these 16 facilities across the country are required to comply 17 with the federal rule already, so they would be 18 hopefully on top of those deadlines. 19 We can't change deadlines as it could 20 make our rules less stringent than the federal 21 counterpart, so we really are just trying to stick 22 as closely as possible to those deadlines, even if 23 they've already passed when our rules go into 24 effect. 25 The third thing I'll say about the

Page 13 1 November 8, 2024 deadline is that primarily applies 2 to Legacy CCR Surface Impoundments, which we believe 3 there are none in the state; so the practical effect 4 of that should be minimal. 5 MS. HANIGAN: Yeah, it's just -- it's not 6 very sensical when you read through the rules, 7 right? If the rule, even at the federal level, went 8 into effect on November 8, 2024 and then our rules 9 say you are to submit all these things, some of 10 which is, like, an engineered closure plan that's 11 stamped by a PE, the rule takes effect on the same 12 day we have to have folks submitting things, it's 13 just -- 14 MR. RILEY: Going back in time is not -- 15 MS. HANIGAN: It's a little -- 16 MR. RILEY: -- easy. 17 MS. HANIGAN: Yeah, it's -- 18 MR. RILEY: So -- and I appreciate that 19 question, and we had the same question, too, when we 20 looked at this, and we had discussion with EPA. And 21 we said, 'Hey, there's a date in the rules that will 22 have passed in time by the time we're around to 23 passing our rules', and we asked if it would be -- 24 if we could go ahead and change that to something 25 like, well, 90 days after the effective date of this	Page 15 1 forward. 2 MS. HANIGAN: Yeah. I mean, I understand 3 the perspective, right, you've had this conversation 4 with EPA, obviously, it's just -- and it's I guess 5 not a significant point, but even the federal rule 6 to me doesn't make a lot of sense. 7 When the rule didn't take effect 8 until November 8th and the EPA is telling them you 9 still have to have all of this in place - even 10 though it's a self-implementing rule - on the date 11 the rule takes effect, it's an interesting approach. 12 MR. RILEY: Interesting approach. Well, 13 CCR has been an interesting topic for us to manage. 14 And can you believe 2025, we've been working on this 15 for 10 years. So we've been talking about CCR 16 regulation with this Council for the last 10 years, 17 I think 2015 was when the federal rule came out. 18 I think in Solid Waste, we've been 19 spoiled in that we've had the ability to craft our 20 own rules without having to adopt federal 21 regulations verbatim, unlike other programs like Air 22 and Water and Hazardous Waste. 23 So Solid Waste, we have our own rules 24 and they may not be perfect, but they're ours and we 25 feel like we have more control over how they're
Page 14 1 rule, you shall complete these tasks. 2 And the response from EPA was that, 3 number one, as Jeff pointed out, the rule's 4 self-implementing; so the deadline is -- applies 5 regardless of when our rules go into effect. 6 But the other thing is that if we 7 were to change that, it would have the effect of 8 making our rules less stringent than the federal 9 rule in that then, when EPA was looking at our rule 10 package and had to determine if we met the criteria 11 of being at least as stringent or protective as 12 their rules, they would have to make the 13 determination that no, it was not, and then that 14 section of our rules and our permit program would 15 not be approved. So their answer's like, no, you 16 shouldn't change that. 17 And based on the fact that these are 18 compliance deadlines that the facilities would have 19 to complete anyway because of the self-implementing 20 nature of the federal rule, because of the nature 21 that the affected community is nonexistent in 22 Oklahoma, as far as we can tell, because there are 23 no Legacy Impoundments that this would apply to, we 24 made that determination to leave the rule written as 25 it was. And so, you know, that's how we're moving	Page 16 1 written and we're more comfortable with them. So 2 when we're looking at CCR rules and forced to use 3 the federal language, it's -- it is less than 4 satisfying for reasons like you've talked about. 5 CHAIRMAN LINN: Okay. Any other questions 6 or discussion by Council? 7 MS. HANIGAN: I guess my only other 8 question, is there any indication that this is -- 9 that there's additional changes coming besides -- at 10 the federal level besides this change, regarding 11 CCR? 12 MR. RILEY: Well, based on -- if history 13 is an indicator of the future, then I would not be 14 surprised if there are more things coming. 15 CHAIRMAN LINN: Any other questions? All 16 right. 17 Questions and discussion by the 18 public, please. 19 MR. MARTIN: Thank you for seeing me. My 20 name is Ricky Martin, I'm out of Tulsa and that's 21 the reason I am here. 22 But first, I want to thank the 23 Department of Environmental Quality. Once I began 24 talking to them 11 months ago here in Tulsa, I was 25 just blown away by the fact that they don't operate

Page 17 1 the way most people these days seem to operate. 2 They took all the time in the world with me. They 3 were kind, considerate, thoughtful, and I thought, 4 'This just doesn't happen these days'. And I think 5 it just may be the culture of the DEQ no matter what 6 state you're in because I've also been talking to 7 the DEQ in Oregon and I've gotten the same response, 8 and I just wanted to put that out there. 9 And I am here today for two things. 10 I want to talk about regulated medical waste and I 11 want to talk about emissions. 12 MR. RILEY: Can I interrupt on a 13 procedural issue? The -- can we -- we need to 14 finish the agenda item on coal combustion residuals, 15 and then we can move on to the -- 16 MR. MARTIN: Okay. Am I in the wrong time 17 space here? 18 CHAIRMAN LINN: Yes, sir. 19 MR. MARTIN: Okay. Then let me back out, 20 then. 21 CHAIRMAN LINN: Okay. Thank you -- 22 MR. MARTIN: I'm sorry, I did not realize 23 that, this is my first experience here. 24 CHAIRMAN LINN: No worries at all. This 25 particular item is relative to coal combustion --	Page 19 1 SECRETARY FIELDS: Mr. Adcock? 2 MR. ADCOCK: Yes. 3 SECRETARY FIELDS: Mr. Evans? 4 MR. EVANS: Yes. 5 SECRETARY FIELDS: Ms. Hanigan? 6 MS. HANIGAN: Yes. 7 SECRETARY FIELDS: Ms. Reinhart? 8 MS. REINHART: Yes. 9 SECRETARY FIELDS: Ms. Sacha? 10 MS. SACHA: Yes. 11 SECRETARY FIELDS: Mr. Schaefer? 12 MR. SCHAEFER: Yes. 13 SECRETARY FIELDS: Mr. Linn? 14 CHAIRMAN LINN: Yes. 15 SECRETARY FIELDS: Motion passed. 16 CHAIRMAN LINN: And now on to item 7, the 17 Public Forum - Open Discussion. 18 And I think at this point, sir, that 19 would be where you would be invited back to share 20 your thoughts. 21 MR. MARTIN: Thank you again. 22 CHAIRMAN LINN: Yes, sir. 23 MR. MARTIN: And now I will begin with 24 what I have here. First of all, I just received a 25 text and email yesterday that this Council was
Page 18 1 MR. MARTIN: Okay. I am so sorry. 2 CHAIRMAN LINN: -- residuals -- 3 MR. MARTIN: I apologize. Thank you. 4 CHAIRMAN LINN: -- not regulated medical 5 waste. In fact, I don't think we have an item on 6 our agenda today about that particular subject; so 7 we'll get back to that in a moment. 8 Are there any questions or discussion 9 by the public relative to the CCR item before the 10 Council? 11 MR. HAZELRIGG: Mr. Chair, prior to a 12 vote, I just want to make it clear if the Council 13 needs to vote on the amended version that Jeff just 14 shared, they'll need to make that clear for the 15 record that they are voting on the amended version, 16 not on the version that was given prior to the 17 board. I just want to make that point before we 18 move into the voting. 19 CHAIRMAN LINN: Thank you, sir. That will 20 be important for whomever makes the motion. 21 So at this point we're at a roll call 22 vote, and do I hear a motion? 23 MS. SACHA: I'll make a motion for the 24 amended language that we heard today. 25 MS. REINHART: I'll make a second.	Page 20 1 meeting at 2:00 in the afternoon, okay? So I had to 2 -- I looked -- I Googled what you guys did, and 3 according to Google it says that you serve as the 4 initial rulemaking body, and I thought, 'Hmm, Solid 5 Waste initial rulemaking', this is coming down the 6 pike on regulated medical waste in a variation from 7 a permit that Covanta-Tulsa has with Solid Waste 8 here. 9 They're requesting a variation in -- 10 to burn regulated medical waste. Keeping in mind, 11 Covanta -- and several months ago, just a few months 12 ago, they changed their name to Reworld, they've 13 rebranded, but I'll continue to call them Covanta 14 because all the documents are in Covanta. 15 That being said, how I found out 16 about this application to seek to modify an existing 17 permit is because I see this postcard from the DEQ 18 here at my home in Tulsa, I'm two and a half miles 19 from the Covanta plant, and once I saw this and 20 looked at it and pulled the curtain back, I could 21 not shut the curtain and just ignore it. And that's 22 how I got here, that was the beginning, that was 11 23 months ago that was in February. 24 So what the DEQ -- what the Covanta 25 is wanting to do is they've got an existing permit,

Page 21 1 that trash plant has been in operation since 2 approximately 1986 in Tulsa. It's an old plant and 3 they burned our municipal waste, but they have 4 morphed into industrial waste and now they're 5 seeking to burn regulated medical waste, okay? 6 That's what this variance is about. 7 It is now in technical review at the 8 DEQ, that's where this modification -- this request 9 for modification is now in technical review here, 10 but I'm here to explain why I do not want them to -- 11 the DEQ to even give them this variance at all. 12 I don't want to start down this road, 13 and the reason is, is because municipal waste varies 14 greatly from regulated medical waste. In Tulsa, we 15 recycle. We have two bins, we have a gray one and 16 we have a blue one, the blue one is for recycling. 17 We've got tin, glass, plastics, they all go in that 18 bin. 19 Regulated medical waste, once it is 20 burned, has a lot of plastics in it, and in those 21 plastics they give off more air toxins, but see, it 22 starts with the solid waste. Don't give them the 23 permit, we don't -- I don't want them to burn that. 24 The reason is, is in that when you're 25 burning regulated medical waste, the toxins produced	Page 23 1 that, they are not being measured by that plant. We 2 do not know what's coming out of those stacks. 3 Granted, the EPA and the DEQ sets 4 these ceilings that they go above it, they're in 5 violation, but they don't measure the hazardous 6 substances coming out of those smokestacks, they 7 only measure them -- excuse me, they do measure them 8 one day out of the year. 9 The other 364 days, we don't know 10 because they only measure criteria pollutants 11 continuously, carbon monoxide, nitrous oxide and 12 sulfur oxide, that's all they're measuring, those 13 are criteria pollutants. And this is from their own 14 emissions report from 2023, which I have. And 15 anybody who wants to look at these reports or say, 16 'Hey, could I see that report?', I've got their own 17 documents. 18 So if they exceed their cap, their 19 ceiling for emissions -- and I get to emissions, I 20 know that's Air Quality, but it starts with, what 21 are you burning in this incinerator? If you're 22 burning this and you exceed emissions and they were 23 in violation in 2024 - because I've got the first 24 quarter report of, excuse me, yeah, the first 25 quarter report of 2024 I have - in the first quarter
Page 22 1 are more toxic than municipal waste because it 2 contains higher amounts of plastic, heavy metals, 3 polyvinyl chloride, and dioxins. 4 That being said, this plant is 5 located a mile and a half from Downtown Tulsa, 6 that's 15 blocks away from Downtown Tulsa. Can you 7 wrap your head around a plant being here in Oklahoma 8 City, 15 blocks from here, that can combust 9 410,000 tons of waste in a year? 10 And this plant is seeking to burn -- 11 60 percent of what they're going to burn, they want 12 it to be industrial waste and regulated medical 13 waste. Granted, they're trying to -- they're 14 capping medical waste at 40,000 tons per year, 15 according to one document that I've read. And I've 16 got this all from their documentation. 17 This plant is six blocks from an 18 elementary school. This plant -- the smokestacks 19 from this plant is in the shadow of AAON, which 20 manufactures HVAC units, who have 2,700 employees. 21 If you can imagine that, one of those employees 22 looking up at that stack every day, of what comes 23 out of those smokestacks. 24 That being said, when you burn 25 regulated medical waste, the hazardous substances in	Page 24 1 there was 29 violations. 2 Do you think they ever have in there 3 anything about the hazardous pollutants that's 4 coming out of those stacks? Well, no, because they 5 only measure them once per year; so when you do get 6 an emissions violation, it's either carbon monoxide, 7 nitrous oxide, or sulfur oxide. We have no idea 8 what's coming out of those stacks, no idea except 9 for those three things because they're not being 10 continuously monitored. 11 Why, why would anyone -- it was built 12 in '86, it was built to burn our municipal waste, 13 okay, that's what we signed up for in '86. How 14 would we go from there to industrial waste, garbage, 15 and regulated medical waste and we don't even know 16 what's coming out of the smokestacks? 17 And you got kids six blocks away, you 18 got 2,700 AAON -- and they operate 24/7 at AAON. 19 That's not right, and I'm just looking at what is 20 the difference between right and wrong. 21 They will say that the City of Tulsa 22 is on board with this. The City of Tulsa, Tulsa 23 recovery for energy - let's just call it a.k.a the 24 trash board - is the one that signed off on this. 25 The people of the City of Tulsa knew nothing about

Page 25 1 it. It was the board, the energy to trash board - 2 the Tulsa Authority for the Recovery of Energy is 3 the official name, TARE, trash board, whatever - 4 they're the ones that did this. The people of Tulsa 5 have no idea what's going on here. 6 And you might think, 'Well, why do 7 they not know what's going on here?'. That is 8 because -- I have a copy of the contract that I got 9 from the TARE board, and in the contract - it says 10 in the contract, and I have the copies here but I'm 11 paraphrasing here - if you speak about this, you 12 have to get -- it has to be in the affirmative. It 13 has to be in the affirmative and you have to have 14 their blessing in order to say anything. 15 If you will, bear with me for one 16 moment. So we know nothing about this. And this is 17 in the contract between the TARE board and Covanta. 18 It's 19.20, "Publicity", and I'm reading this 19 verbatim from the contract. "No party or any agent 20 or affiliate of a party shall make any public 21 statements, including, without limitation, any press 22 releases with respect to this agreement and the 23 transactions contemplated hereby, except as may be 24 required by law or with written permission of the 25 other party".	Page 27 1 I think there's one other one in Kansas City - may be 2 the only one west of the Mississippi. There is one 3 in Alabama, I'm not quite sure, there's -- I think 4 we're -- that's the other side of the Mississippi, 5 okay? 6 Seriously, I am not -- this 7 information I have, I've been working on this since 8 February, but I've got a prototype to go by. As I 9 am speaking at this moment, the Covanta plant, 10 Covanta Marion in Brooks, Oregon, is being 11 decommissioned as of December 31, 2024. 12 So I checked to see what was 13 happening. Hey, it's supposed to be shut down the 14 31st of December, just a few weeks ago, what's 15 happening? Googled it, saw an article from one of 16 the local papers. They have six months, by 17 June 30th, to decommission and burn their backlog of 18 six months of waste. 19 Keep in mind that the plant in Oregon 20 -- if you want to know what's happening in Tulsa, 21 the Tulsa plant wants to be what the Oregon plant 22 is, but the Oregon plant is being decommissioned. 23 It was also built in the '80s and they are also 24 burning medical waste and also industrial garbage. 25 That being said, they have decided to
Page 26 1 Section 4, "General Representation 2 and Covenants". This is directly out of the 3 contract. "TARE will affirmatively and actively 4 support and advocate for Covanta's application in 5 other state or federal environmental energy or 6 climate policy that would affect the recovery 7 facility." 8 They're on board with this facility. 9 They would have you believe that, oh, this is good 10 for Tulsa, you know, because in Oklahoma we can 11 bring all of our medical waste there, Oklahoma City 12 can, the whole state, and dump it there in Tulsa a 13 mile and a half from Downtown Tulsa. We'll burn it, 14 the emissions will go up. We're not even measuring 15 any of the hazardous pollutants that comes out in 16 regard to burning plastics. 17 It gets worse. In their official 18 documents to the DEQ, their cover letter, they want 19 to not only burn this for Oklahoma, but all 20 surrounding states. So we're going to do Texas' 21 medical waste and industrial garbage, we're going to 22 do Arkansas', we're going to do Missouri's, Kansas, 23 Colorado, New Mexico, and it can go further, too. 24 It's anywhere west of the Mississippi River. 25 This plant may be the only one - I	Page 28 1 shut that plant down because the state came in with 2 new regulations in Senate Bill 488 that said you 3 will monitor continuously all these different 4 constituents, and there was about 14, which would 5 include all the hazardous pollutants they're not 6 currently monitoring here in Tulsa. Okay? 7 They will tell you -- they do not 8 give a reason why they're shutting down. That being 9 said, it's being decommissioned, and the last I read 10 just a few days ago was the county commissioner gave 11 them six months to shut that plant down because 12 they're out of compliance with the new Senate Bill 13 488. 14 So if you want to know what's 15 happening in Tulsa, look at what's -- Oregon is the 16 story, we don't want to become Oregon. We do not 17 want to become -- this entire region, I'm talking 18 about multiple states. A mile and a half from 19 Downtown Tulsa, six blocks from an elementary 20 school, in the shadow of 2,700 AAO employees, two 21 and a half miles from my home and I pass by this 22 plant every day, multiple times. It's just not 23 right. 24 So what I want -- it's in technical 25 review right now. I assume that I may end up back

Page 29 1 over here before this board if you're a part of that 2 process, I may be back here again with others. 3 I want that -- I don't want you to 4 look at that variance and think, 'Oh, yeah, just 5 give them the variance, it's just what you burn in 6 your regular waste anyway', that is not correct. It 7 gives off more hazardous pollutants because of what 8 it is, it's more plastics. That's number one, don't 9 give them the variance. Why would you permit a more 10 toxic waste stream to come into that plant? 11 Number two. Think about it, sleep on 12 it. We, as the citizens of Tulsa, have no idea 13 what's coming out of those smokestacks because 14 they're not being continuously monitored on the 15 hazardous substances. I have that emissions report 16 here if anybody would just like to flip it with 17 their phone and say, 'Okay, yeah, he knows what -- 18 he's got it right there'. 19 This is really important, and if you 20 don't think it's important, talk to Oregon and 21 they're decommissioning their 1986 plant as we 22 speak. We don't want to go down this road. If we 23 have to try to get a Senate bill to rein them in -- 24 I can only imagine what that would be here at the 25 House, in our state capitol.	Page 31 1 which is 24 hours prior to the meeting. 2 Is there any new business? 3 Hearing none, we'll have a motion for 4 adjournment. 5 MS. HANIGAN: I'll make a motion for 6 adjournment. 7 MS. REINHART: Second. 8 SECRETARY FIELDS: Mr. Adcock? 9 MR. ADCOCK: Yes. 10 SECRETARY FIELDS: Mr. Evans? 11 MR. EVANS: Yes. 12 SECRETARY FIELDS: Ms. Hanigan? 13 MS. HANIGAN: Yes. 14 SECRETARY FIELDS: Ms. Reinhart? 15 MS. REINHART: Yes. 16 SECRETARY FIELDS: Ms. Sacha? 17 MS. SACHA: Yes. 18 SECRETARY FIELDS: Mr. Schaefer? 19 MR. SCHAEFER: Yes. 20 SECRETARY FIELDS: Mr. Linn? 21 CHAIRMAN LINN: Yes. 22 SECRETARY FIELDS: Motion passed. 23 CHAIRMAN LINN: Thank you all very much. 24 (PROCEEDINGS ADJOURNED AT 10:37 AM) 25
Page 30 1 So please consider this. I can't 2 just let this rest and just make it go away - I wish 3 I could - because I'm in it for the long haul. I'm 4 in it until I see if you want to continuously 5 monitor these hazardous pollutants, which they are 6 not, they only measure them once per year in what's 7 called a stack test. And I don't even want you to 8 begin to think about giving them this variance to 9 burn regulated medical waste. 10 And also the way it's been written in 11 the contract where they just said, 'You can't talk 12 about it'. What's that about? You can scratch your 13 head on that one. 14 Thank you, I appreciate being here 15 today. 16 CHAIRMAN LINN: Thank you very much -- 17 MR. MARTIN: All of you -- 18 CHAIRMAN LINN: --- for your comments. 19 MR. MARTIN: -- thank you for your time. 20 CHAIRMAN LINN: Appreciate it. 21 Any other discussion by the public 22 under the Public Forum? 23 New Business, limited to any matter 24 not known or which could not have been reasonably 25 foreseen prior to the time of posting the agenda,	Page 32 1 C E R T I F I C A T E 2 I, Jenny Longley, Certified Shorthand 3 Reporter within and for the State of Oklahoma, do 4 hereby certify that the above and foregoing meeting 5 was by me taken in shorthand and thereafter 6 transcribed; and that I am not an attorney for nor 7 relative of any of said parties or otherwise 8 interested in the event of said action. 9 IN WITNESS WHEREOF, I have hereunto 10 set my hand and official seal this 9th day of 11 January, 2025. 12 13  14 Jenny Longley, CSR 15 CSR # 1903 16 17 18 19 20 21 22 23 24 25



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**SOLID WASTE MANAGEMENT
ADVISORY COUNCIL
Attendance Record
January 9, 2025
Oklahoma City, Oklahoma**

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