

REGULAR MEETING/HEARING AGENDA
AIR QUALITY ADVISORY COUNCIL
January 19, 2011, 9:00 a.m.
DEQ Multipurpose Room
707 North Robinson Avenue
Oklahoma City, OK

Please turn off cell phones.

1. **Call to Order** - Laura Lodes, Chair
2. **Roll Call** - Myrna Bruce
3. **Approval of Minutes** - October 27, 2010 Regular Meeting **[APPROVED]**
4. **Election of Officers** - Discussion and action by Council **[CURRENT OFFICERS RETAINED: LAURA LODES, CHAIR; JIM HAUGHT, VICE CHAIR]**
5. **Public Rulemaking Hearings**
 - A. **OAC 252:100-5. Registration, Emission Inventory and Annual Operating Fees [AMENDED]**
OAC 252:100-7. Permits for Minor Facilities [AMENDED]
OAC 252:100-8. Permits for Part 70 Sources [AMENDED]

The Department is proposing to add a new section OAC 252:100-5-2.3 that would allow the Department to assess certain area sources of hazardous air pollutants annual operating fees. In addition, the Department is proposing increases to permit application fees for both minor facilities and Part 70 sources by amending OAC 252:100-7, Part 2 and OAC 252:100-8, Part 3.

1. Presentation - Pat Sullivan, Environmental Programs Specialist, Air Quality Division
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[SCs 5, 7, and 8 RECOMMENDED TO THE ENVIRONMENTAL QUALITY BOARD AS AMENDED]

- B. **OAC 252:100-1. General Provisions [AMENDED]**
OAC 252:100-3. Air Quality Standards and Increments [AMENDED]
OAC 252:100-7. Permits for Minor Facilities [AMENDED]
OAC 252:100-8. Permits for Part 70 Sources [AMENDED]

The Department is proposing to modify Subchapters 1, 7, and 8 to ensure that State rules affected by recent changes to EPA's policies and programs for greenhouse gas emissions are not perceived to be more stringent than the corresponding federal requirements.

Also, the Department is proposing modifications to Subchapter 8 to implement the New Source Review (NSR) program for the fine particulate matter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS). The Department is proposing to modify Subchapter 3, Air Quality Standards and Increments, by the addition of the annual and 24-hour PM_{2.5} increments to OAC 252:100-3-4, Significant deterioration increments.

1. Presentation - Dr. Joyce Sheedy, Engineer, Air Quality Division

2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[SCs 1, 3, 7, and 8 RECOMMENDED TO THE ENVIRONMENTAL QUALITY BOARD AS AMENDED]

- C. Appendix A. Allowable Particulate Matter Emission Rate for Incinerators [REVOKED]
Appendix A. Allowable Particulate Matter Emission Rate for Incinerators [NEW]**

The Department is proposing to amend Appendix A to correct inaccuracies.

1. Presentation - Diana Hinson, Environmental Programs Specialist, Air Quality Division
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[APPENDIX A RECOMMENDED TO THE ENVIRONMENTAL QUALITY BOARD]

- D. APPENDIX E. Primary Ambient Air Quality Standards [REVOKED]
APPENDIX E. Primary Ambient Air Quality Standards [NEW]**

The Department proposes changing Appendix E to maintain consistency with the NAAQS. Specifically, the nitrogen dioxide (NO₂) and sulfur dioxide (SO₂) primary standards would be modified to reflect recent changes made by the EPA.

1. Presentation - Leon Ashford, Environmental Programs Specialist, Air Quality Division
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[APPENDIX E RECOMMENDED TO THE ENVIRONMENTAL QUALITY BOARD]

- E. OAC 252:100-2. Incorporation By Reference [AMENDED]
Appendix Q. Incorporation By Reference [REVOKED]
Appendix Q. Incorporation By Reference [NEW]**

The Department is proposing to update Subchapter 2 to clarify language and Appendix Q, Incorporation By Reference, to incorporate by reference the latest changes to EPA regulations.

1. Presentation - Nancy Marshment, Environmental Programs Specialist, Air Quality Division
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[APPENDIX Q TABLED UNTIL FURTHER NOTICE]

- F. OAC 252:110. Lead-Based Paint Management
Subchapter 1. General Provisions [AMENDED]
Subchapter 5. Incorporation by Reference [AMENDED]
Subchapter 15. Additional Renovation, Repair and Painting (RRP) Requirements [NEW]**

The Department is proposing to amend OAC 252:110, Lead-Based Paint Management, to add a new Subchapter 15, Additional Renovation, Repair, and Painting (RRP) Requirements. The proposed rule would establish state requirements that are consistent with those established by EPA and affect contractors who perform renovation, repair, and painting projects in homes, child-care facilities, and schools built before 1978. In addition, the proposal would establish fees to be charged by the Department for RRP firm certifications and other associated services.

1. Presentation - Trevor Hammons, Attorney, Legal Division
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[CHAPTER 110 PROPOSAL RETURNED TO STAFF FOR FURTHER REVIEW]

6. **Division Director's Report** - Eddie Terrill
7. **New Business** - Any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.
8. **Adjournment** - The next regular meeting is scheduled for Wednesday, April 20, 2011, in Tulsa, Oklahoma.

Lunch break if necessary

Should you have a disability and need an accommodation, please notify the DEQ Air Quality Division three days in advance at 405-702-4216. Hearing impaired persons may call the text telephone (TDD) Relay Number at 1-800-722-0353 for TDD machine use only.