

**MINUTES**  
**AIR QUALITY COUNCIL**  
 Department of Environmental Quality  
 707 North Robinson, Oklahoma City, OK  
 January 19, 2011

For EQB February 25, 2011  
 AQC Approved July 20, 2011

**Notice of Public Meeting** The Air Quality Council convened for its regular meeting at 9:00 a.m. on January 19, 2011 at the Department of Environmental Quality in Oklahoma City. Notice of the meeting was forwarded to the Office of the Secretary of State giving the date, time, and place of the meeting on December 7, 2010. Agendas were posted at the meeting facility and at the DEQ Central Office in Oklahoma City at least twenty-four hours prior to the meeting. Ms. Beverly Botchlet-Smith convened the hearings by the Air Quality Advisory Council in compliance with the Oklahoma Administrative Procedures Act and Title 40 CFR Part 51, and Title 27A, Oklahoma Statutes, Sections 2-5-201 and 2-5-101-2-5-118. Ms. Smith entered the Agenda and the Oklahoma Register Notice into the record and announced that forms were available at the sign-in table for anyone wishing to comment on any of the rules. Ms. Laura Lodes, Chair, called the meeting to order. Ms. Bruce called roll stating that a quorum was present.

**MEMBERS PRESENT**

David Branecky  
 Montelle Clark  
 Gary Collins  
 David Gamble  
 Jim Haught  
 Laura Lodes  
 Bob Lynch  
 Sharon Myers  
 Pete White

**DEQ STAFF PRESENT**

Eddie Terrill  
 Beverly Botchlet-Smith  
 Scott Thomas  
 Cheryl Bradley  
 Rob Singletary  
 Trevor Hammons  
 Randy Ward  
 Dawson Lasseter

**DEQ STAFF PRESENT**

Pat Sullivan  
 Joyce Sheedy  
 Nancy Marshment  
 Diana Hinson  
 Leon Ashford  
 Myrna Bruce

**MEMBERS ABSENT**

**OTHERS PRESENT**

Christy Myers, Court Reporter

**Transcripts and Attendance Sheet are attached as an official part of these Minutes**

**Approval of Minutes – October 27, 2010 Regular Meeting** Ms. Lodes called for a motion for approval. Ms. Myers moved to approve and Mr. Collins made the second.

*See Transcript pages 4 – 5 Section A*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

**Election of Officers** Ms. Myers made motion that Laura Lodes and Jim Haught to remain as the officers. Mr. Branecky made the second.

*See Transcript pages 5 – 6 Section A*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

**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]**

Ms. Pat Sullivan provided a slide presentation of the proposal which would 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 proposal would increase 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. Staff fielded comments and questions from Council and the public. Ms. Cheryl Bradley read into the record alternative language that was suggested regarding the existing area sources. Ms. Lodes explained that there had been a number of discussions and called for a motion to adopt the rule package. Mr. Branecky made the motion to adopt as proposed with the revisions discussed with the caveat that DEQ provides a progress report of the income and expenditures at Council's October meeting. Mr. White made the second.

*See Transcript pages 8 – 93*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

**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]**

Dr. Joyce Sheedy advised that the proposal would 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, modifications to Subchapter 8 to implement the New Source Review (NSR) program for the fine particulate matter (PM2.5) National Ambient Air Quality Standards (NAAQS). The proposal would also modify Subchapter 3, Air Quality Standards and Increments, by the addition of the annual and 24-hour PM2.5 increments to OAC 252:100-3-4, Significant deterioration increments. Dr. Sheedy explained that the proposed modifications to these four subchapters are being presented in one hearing because both the greenhouse gas modifications and the PM2.5 modifications involve changes to Section 31 of Subchapter 8. She identified the changes being proposed. Staff fielded questions and comments from the public. Mr. Branecky moved to postpone the hearing in order that staff could develop the suggested language that could be incorporated into the rule. Ms. Myers made the second.

*See Transcript Pages 3 – 28 Part 2*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

Ms. Lodes called for a motion to continue the discussion on the greenhouse gas rules. Ms. Myers made the motion and Mr. Gamble made the second.

*See Transcript Pages 56*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

Ms. Cheryl Bradley presented the additional language for Council's consideration. Following discussion, Mr. Collins made motion to accept the proposed amendments as amended. Mr. Haught made the second.

*See Transcript Pages 58 - 69*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

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

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

Ms. Diana Hinson advised that the proposal would revoke Appendix A and adopt a new Appendix A to correct inaccuracies. Hearing no discussion, Ms. Lodes called for a motion. Mr. Haught moved to accept as recommended and Mr. Clark made the second.

*See Transcript Pages 28-31*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

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

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

Mr. Leon Ashford advised that the proposal was to revoke Appendix E and adopt a new Appendix E to maintain consistency with the NAAQS. Specifically, the nitrogen dioxide (NO<sub>2</sub>) and sulfur dioxide (SO<sub>2</sub>) primary standards would be modified to reflect recent changes made by the EPA. Following comments, Ms. Lodes called for a motion to pass the rule as proposed. Mr. Haught made the motion and Mr. Gamble made the second.

*See Transcript Pages 31 - 37*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

**OAC 252:100-2. Incorporation By Reference [AMENDED]**

**Appendix Q. Incorporation By Reference [REVOKED]**

**Appendix Q. Incorporation By Reference [NEW]**

Ms. Nancy Marshment advised that the proposal would update Subchapter 2 to clarify language and Appendix Q, Incorporation By Reference, to incorporate by reference the latest changes to EPA regulations. She identified the changes that were being proposed. Staff requested that the Council table the hearing for this rulemaking until the Department is certain it has adequate resources to assume delegation for any additional federal standards. Following discussion, Mr. Pete White made motion to continue the hearing. Ms. Myers made the second.

*See Transcript Pages 37 - 56*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

**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]**

Mr. Trevor Hammons advised that the Department's proposal would 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. After much discussion, Mr. Branecky made motion to continue the hearing. Ms. Myers made the second.

*See transcript pages Item F page 2 - 53*

Bob Lynch	Yes	Sharon Myers	Yes
Pete White	Yes	Gary Collins	Yes
David Gamble	Yes	Montelle Clark	Yes
David Branecky	Yes	Laura Lodes	Yes
Jim Haught	Yes		

**Division Director's Report** - Eddie Terrill mentioned EPA initiatives and the upcoming Legislative session.

**New Business** - None

**Adjournment** – Ms. Lodes adjourned the meeting adjourned at 1:00 p.m.

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

# Myers Reporting

Sheet 1 Page 1

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF OKLAHOMA

\* \* \* \* \*

TRANSCRIPT OF PROCEEDINGS  
OF THE AIR QUALITY COUNCIL MEETING  
ON JANUARY 19, 2011, AT 9:00 AM  
IN OKLAHOMA CITY, OKLAHOMA

\* \* \* \* \*

MYERS REPORTING SERVICE  
Christy Myers, CSR  
P.O. Box 721532  
Oklahoma City, Oklahoma 73172-1532  
(405) 721-2882

# Myers Reporting

Sheet 2 Page 2

## MEMBERS OF THE COUNCIL

LAURA LODES, CHAIR  
JIM HAUGHT, VICE-CHAIR  
PETE WHITE, MEMBER  
SHARON MYERS, MEMBER  
MONTELLE CLARK, MEMBER  
DAVID GAMBLE, MEMBER  
GARY COLLINS, MEMBER  
ROBERT LYNCH, MEMBER  
DAVID BRANECKY, MEMBER

## DEQ STAFF

MYRNA BRUCE  
BEVERLY BOTCHLET-SMITH  
EDDIE TERRILL  
CHERYL BRADLEY  
PAT SULLIVAN  
NANCY MARSHMENT  
DIANA HINSON  
JOYCE SHEEDY

Page 3

## PROCEEDINGS

1  
2 MS. LODES: Call the meeting  
3 to order. The first Item is Myrna,  
4 would you please call the roll.  
5 MS. BRUCE: Bob Lynch.  
6 DR. LYNCH: Here.  
7 MS. BRUCE: Pete White is  
8 not here right at this moment.  
9 David Gamble.  
10 MR. GAMBLE: Here.  
11 MS. BRUCE: David Branecky.  
12 MR. BRANECKY: Here.  
13 MS. BRUCE: Jim Haught.  
14 MR. HAUGHT: Here.  
15 MS. BRUCE: Sharon Myers.  
16 MS. MYERS: Yes.  
17 MS. BRUCE: Gary Collins.  
18 MR. COLLINS: Here.  
19 MS. BRUCE: Montelle Clark.  
20 MR. CLARK: Present.  
21 MS. BRUCE: Laura Lodes.  
22 MS. LODES: Here.  
23 MS. BRUCE: We do have a  
24 quorum.  
25 MS. LODES: The next item

Page 4

1 on today's Agenda is the Approval of  
2 the Minutes from the October 27, 2010  
3 regular meeting. Do we have any  
4 questions or discussion on the  
5 minutes? Do I have a motion to  
6 approve the minutes?  
7 MS. MYERS: I so move.  
8 MS. LODES: I have a  
9 motion. Do I have a second?  
10 MR. COLLINS: I'll second.  
11 MS. LODES: I have a motion  
12 and a second. Do you want to call  
13 the roll for us.  
14 MS. BRUCE: Bob Lynch.  
15 DR. LYNCH: Yes.  
16 MS. BRUCE: David Gamble.  
17 MR. GAMBLE: Yes.  
18 MS. BRUCE: David Branecky.  
19 MR. BRANECKY: Yes.  
20 MS. BRUCE: Jim Haught.  
21 MR. HAUGHT: Yes.  
22 MS. BRUCE: Sharon Myers.  
23 MS. MYERS: Yes.  
24 MS. BRUCE: Gary Collins.  
25 MR. COLLINS: Yes.

Page 5

1 MS. BRUCE: Montelle Clark.  
2 MR. CLARK: Yes.  
3 MS. BRUCE: Laura Lodes.  
4 MS. LODES: Yes.  
5 MS. BRUCE: Motion passed.  
6 MS. LODES: The next item  
7 on today's Agenda is the election of  
8 officers.  
9 MS. MYERS: I would like to  
10 move that we keep our current  
11 officers. Laura as President or  
12 Chair, and Jim as Vice-Chair.  
13 MR. BRANECKY: I'll second  
14 that.  
15 MS. LODES: I have a motion  
16 and a second. Myrna, will you call  
17 the roll.  
18 MS. BRUCE: Bob Lynch.  
19 DR. LYNCH: Yes.  
20 MS. BRUCE: Pete White for  
21 the record has arrived.  
22 MS. BRUCE: David Gamble.  
23 MR. GAMBLE: Yes.  
24 MS. BRUCE: David Branecky.  
25 MR. BRANECKY: Yes.

# Myers Reporting

<p>Sheet 3 Page 6</p> <p>1 MS. BRUCE: Jim Haught. 2 MR. HAUGHT: Yes. 3 MS. BRUCE: Sharon Myers. 4 MS. MYERS: Yes. 5 MS. BRUCE: Gary Collins. 6 MR. COLLINS: Yes. 7 MS. BRUCE: Montelle Clark. 8 MR. CLARK: Yes. 9 MS. BRUCE: Laura Lodes. 10 MS. LODES: Yes. 11 MS. BRUCE: Motion passed. 12 And congratulations. 13 MS. BOTCHLET-SMITH: Good 14 morning. I'm Beverly Botchlet-Smith. 15 I'm the Assistant Director of the Air 16 Quality Division and as such I'll 17 serve as the Protocol Officer for 18 today's hearings. 19 The hearings will be convened 20 by the Air Quality Council in 21 compliance with the Oklahoma 22 Administrative Procedures Act in 23 Title 40 of the Code of Federal 24 Regulations, Part 51, as well as the 25 authority of Title 27A of the</p>	<p>Page 8</p> <p>1 will proceed with what's marked as 2 Agenda Item Number 5A for the Hearing 3 Agenda. And that is OAC 252:100-5, 4 Registration Emissions Inventory and 5 Annual Operating Fees OAC 252:100-7, 6 Permits for Minor Facilities. And 7 OAC 252:100-8, Permits for Part 70 8 Sources. And we're going to have a 9 presentation so a few of us are 10 going to need to move over just a 11 bit. 12 MS. SULLIVAN: Madam Chair, 13 Members of the Council, and ladies 14 and gentlemen. Good morning. I'm 15 Pat Sullivan, Environmental Program 16 Specialist with the Air Quality 17 Division of the Department of 18 Environmental Quality. Staff has 19 revised the fee proposal we presented 20 in the October 27th, 2010 Air Quality 21 Advisory Council meeting and I've 22 been asked to present those changes 23 to you today. 24 Let's quickly review the 25 reasons for the October fee proposal.</p>
<p>Page 7</p> <p>1 Oklahoma Statutes, Section 2-2-201, 2 Sections 2-5-101 through 2-5-118. 3 Notice of the January 19, 2011 4 hearings were advertised in the 5 Oklahoma Register for the purpose of 6 receiving comments pertaining to the 7 proposed OAC Title 252 Chapter 100 8 rules as listed on the Agenda and 9 will be entered into each record 10 along with the Oklahoma Register 11 filing. Notice of Meeting was filed 12 with the Secretary of State on 13 December 7, 2010. The Agenda was 14 duly posted 24 hours prior to the 15 meeting at this facility here at the 16 DEQ. 17 If you wish to make a 18 statement, it is very important for 19 you to complete the form that is 20 found at the registration table and 21 then you will be called upon at the 22 appropriate time. Audience members 23 please come to the podium for your 24 comments and please state your name 25 prior to speaking. At this time, we</p>	<p>Page 9</p> <p>1 Legislative appropriations are down. 2 Benefits and cost of retention are 3 up. Total annual operating fees are 4 down. Division workload is up and 5 keeps going up. 6 At the last meeting, we spent 7 some time talking about area sources 8 of air pollution, how area sources 9 emit 35 percent of hazardous air 10 pollutants emitted in Oklahoma. And 11 some area sources, like gas stations, 12 are closely associated with mobile 13 sources which emit 47 percent of 14 hazardous air pollutants emitted in 15 the state. 16 Federal regulations relating to 17 area sources are called MACTs and 18 they're often listed as 40 CFR Part 19 63 followed by (CCCCCC), (BBBBBB), 20 (ZZZZ), lots of letters. These area 21 source MACT standards are a part of 22 the increasing workload. 23 So let's put the numbers to 24 these, what I call, budgetary 25 realities. Legislative</p>

# Myers Reporting

Sheet 4 Page 10

1 appropriations are down 1.23 million;  
2 benefits and cost of retention are up  
3 .86 million; total annual operating  
4 fees are down .86 million. And that  
5 is coincidence that they are the  
6 same. The budgetary shortfall we  
7 estimate to be 2.95 million dollars.  
8 This is the proposal that we  
9 made in October. The proposal left  
10 criteria pollutant fees as they  
11 stand. The proposal -- we proposed  
12 a new hazardous air pollutant fee of  
13 \$50.00 per ton and we proposed to  
14 invoice mercury at \$100.00 per pound  
15 and lead at \$50.00 per pound.  
16 Thirdly, we proposed a new  
17 annual operating fee for area sources  
18 of air pollution who are subject to  
19 an air pollution control standard, a  
20 MACT, but not subject to permitting.  
21 That fee -- the proposed was \$250.00  
22 per year. And as a mobile source  
23 component of our plan we proposed  
24 that gasoline dispensing facilities  
25 subject to 40 CFR 63 (CCCCC) pay an

Page 11

1 air quality annual operating fee  
2 depending upon their monthly  
3 throughput of 250, 500 or 750 dollars  
4 per year. The proposal also  
5 contained a provision that gasoline  
6 bulk terminals that are subject to  
7 (BBBBBB) pay an annual operating fee  
8 of \$500.00 per year.  
9 And this is how those numbers  
10 looked. At the completion of our  
11 presentation, staff asked that the  
12 fee case be continued to this meeting  
13 so that we might look at replacing  
14 the HAPs portion, that's the first  
15 line, of the proposal with new fees  
16 per permit applications and we have  
17 done that.  
18 In our revised proposal annual  
19 operating fees -- those are the per  
20 ton emission fees -- will stay the  
21 same. We're proposing increased  
22 permit application fees which I will  
23 breakout in a minute. And the area  
24 source and mobile source components  
25 of the presentation we made in

Page 12

1 October will remain the same.  
2 We estimate that the revised  
3 scenario will yield something like  
4 this. So once again the only line  
5 that changed is the permit  
6 application fees at the top. It was  
7 something over \$600,000.00 when we  
8 proposed a \$50.00 HAPs fee and now  
9 it's at 784,000 and, of course, that  
10 is an estimate because we don't know  
11 what the actual number of permits  
12 would be that would come in and out  
13 of the shops.  
14 So how do we implement this  
15 plan? We add a new section to  
16 Subchapter 5 that addresses annual  
17 operating fees for area sources of  
18 air pollution. We modify Subchapter  
19 7 to increase minor source permit  
20 application fees. We modify  
21 Subchapter 8 to increase major source  
22 permit application fees. And as  
23 requested by Council we included a  
24 provision for fee adjustment in case  
25 these measures yield more money than

Page 13

1 anticipated. That provision is in  
2 Subsection (D) of the new 2.3 in  
3 Subchapter 5.  
4 I'm going to do the  
5 technicality part this time. Cheryl  
6 did last time so that's what we're  
7 going to talk about next are the  
8 actual -- what's in the actual rule.  
9 This is the basic content of OAC  
10 252:100-5-2.3, annual operating fees  
11 for area sources of air pollution.  
12 Subsection (b) paragraph (1)  
13 states that unpermitted gasoline  
14 dispensing facility area sources that  
15 are subject to 40 CFR Part 63,  
16 Subpart CCCCC shall pay an annual  
17 operating fee based on average  
18 monthly gasoline throughput.  
19 Stations with throughput of  
20 10,000 gallons or less shall pay and  
21 annual operating fee of \$250.00 per  
22 year.  
23 Stations with throughput of  
24 more than 10,000 gallons but less  
25 than 100,000 gallons shall pay an

# Myers Reporting

Sheet 5 Page 14  
1 annual operating fee of \$500.00 per  
2 year.  
3 Stations with monthly  
4 throughput of 100,000 gallons or more  
5 shall pay an annual operating fee of  
6 \$750.00 per year.  
7 Paragraph (2) states that  
8 unpermitted area source gasoline  
9 distribution bulk terminals, bulk  
10 plants, and pipeline facilities that  
11 are subject to 40 CFR Part 63,  
12 Subpart BBBB, shall pay an annual  
13 operating fee of \$500.00.  
14 Paragraph (3) covers area  
15 sources as defined in 40 CFR 63.2  
16 that are not subject to the  
17 permitting requirements of OAC  
18 252:100-8 or 252:100-8 -- I'm sorry,  
19 it should be 7. They aren't minor  
20 or major. But are subject to one or  
21 more NESHAP shall pay an annual  
22 operating fee of \$250.00.  
23 Subsection (c) has been edited  
24 since you received your packets and  
25 since the rule was posted to the

Page 15  
1 web. It has been edited to clarify  
2 how payment is made. That new  
3 language is in your folder. It  
4 simply states that area sources will  
5 follow payment to -- upon receiving  
6 an invoice to the division.  
7 Subsection (d) provides for fee  
8 adjustments should these new  
9 provisions be more lucrative than  
10 expected or should appropriated state  
11 general revenue funds increase  
12 sufficiently to adequately fund the  
13 air program.  
14 Now we move to permit  
15 application fees in OAC 252:100-7-3,  
16 Permit Application Fees. The fees in  
17 Subchapter 7 are specific to minor  
18 facilities. Staff proposes that  
19 applicability determinations go from  
20 250 to 500 dollars.  
21 Regarding construction permit  
22 application fees listed in Paragraph  
23 (2) of the rule, permit by rule  
24 registration remains the same.  
25 General permit authorization for

Page 16  
1 Notice of Intent, goes from 400 to  
2 500 dollars.  
3 The fee for an individual  
4 permit, for initial construction or  
5 for added emissions, goes from a  
6 range of \$1,000.00 for less than 40  
7 tons and \$1,500.00 for, from 40 to  
8 99.99 tons it goes to \$2,000.00.  
9 Amendments of individual  
10 permits which do not increase  
11 emissions remain at \$500.00 and there  
12 will be no fee assessed for extension  
13 of time and transfer of ownership.  
14 In Paragraph (3) Operating  
15 permit application fees, permit by  
16 rule registration stays at \$100.00.  
17 We propose the general permit  
18 authorization go from \$150.00 to  
19 \$500.00; that individual permits go  
20 from \$500.00 to \$750.00; that  
21 modification of an individual permit  
22 increase from \$200.00 to \$750.00 and  
23 relocation permits increase from  
24 \$100.00 to \$250.00.  
25 That's the proposed fee

Page 17  
1 schedule for minor source facilities.  
2 As we move to Subchapter 8, I  
3 think I failed to mentioned that  
4 permit application fees haven't been  
5 touched in over a decade. So these  
6 fees were very low compared to the  
7 surrounding states. So this is a  
8 first modification almost, ever. We  
9 had it open for minor modification, I  
10 think, in '93 or '94, but it was  
11 like, one little thing. So these  
12 fees have been around for along time,  
13 even though I know that the increases  
14 may seem high if you think about the  
15 length of time they've been in  
16 effect.  
17 Okay. Now to Subchapter 8.  
18 I'm on the right slide. Part 70 or  
19 major source permit application fees  
20 are at OAC 252:100-8-1.7, Permit  
21 Application Fees.  
22 In Subchapter 8 Section 1.7  
23 Paragraph (1), Applicability  
24 determination, staff proposes to  
25 increase the fee from 250 to \$500.00.

# Myers Reporting

Sheet 6 Page 18

1 In Paragraph (2), Construction  
2 Permit Applications, staff proposes  
3 the following increases.

4 A new Part 70 source  
5 construction permit will go from  
6 \$2,000.00 to \$7,500.00.

7 Modification of a Part 70  
8 source goes from \$1,500.00 to  
9 \$5,000.00.

10 Authorization under a general  
11 permit remains at \$900.00.

12 In Paragraph (3), Operating  
13 Permit Application. Staff proposes  
14 that the initial Part 70 permit  
15 increase from \$2,000.00 to \$7,500.00;  
16 that authorization under a general  
17 permit stay at \$900.00; that renewal  
18 of a Part 70 permit increase from  
19 \$1,000.00 to \$7,500.00.

20 And here, today's staff  
21 proposal varies from the rule that  
22 was in your Council packet and the  
23 Subchapter 8 rule that was posted on  
24 the internet. Significant  
25 modification of a Part 70 permit

Page 19

1 increases from \$1,000.00 to  
2 \$6,000.00. It was posted in the  
3 rule and in your packet at \$5,000.00.  
4 And the next one has also changed.

5 A minor modification of a Part  
6 70 permit increases from \$500.00 to  
7 \$300.00 (sic) and that was also  
8 posted at \$5,000.00.

9 Part 70 Temporary Source  
10 Relocation will remain \$500.00.

11 MS. LODES: Excuse me. Is  
12 that \$500.00 -- I think it's  
13 \$3,000.00 not \$300.00 on the minor  
14 mod increase.

15 MS. SULLIVAN: I'm sorry.

16 MS. LODES: Minor mod you  
17 said -- I think you said 300 and it  
18 should be 3,000.00.

19 MS. SULLIVAN: 3,000 -- 500  
20 to 3,000 is right. Correct. I'm  
21 sorry. I'm sorry. I mis-stated  
22 that. It's 500 to \$3,000.00. And  
23 the Part 70 temporary relocation  
24 remained at 500. Okay.

25 So this is the summary of the

Page 20

1 fee proposal. Annual operating fees  
2 stay the same. New increased permit  
3 application fees, a new area source  
4 component, and a new mobile source  
5 component which were introduced in  
6 October and those deal with  
7 unpermitted area sources that are  
8 subject to an air pollution control  
9 standard.

10 Notice of these proposed rule  
11 changes was published in the Oklahoma  
12 Register on December 15th, 2010. The  
13 Notice requested written comments  
14 from the public and other interested  
15 parties.

16 Staff received comments from  
17 Oklahoma Independent Petroleum  
18 Association on Friday, January 14th,  
19 2011. And comments from  
20 Environmental Federation of Oklahoma  
21 on Tuesday, January 18th, 2011.

22 Copies of these comments and  
23 updated rule changes were supplied to  
24 the Council in your folders this  
25 morning.

Page 21

1 Staff asks that this fee  
2 proposal be recommended to the  
3 Environmental Quality Board.

4 MS. BOTCHLET-SMITH: I think  
5 I neglected to introduce Pat Sullivan  
6 of our staff, who just gave that  
7 presentation. But at this time she  
8 will take any questions that the  
9 Council might have, any comments.

10 MS. SULLIVAN: I will take  
11 or direct. Not deflect, direct.

12 MR. HAUGHT: I've got a  
13 question or a couple of questions.

14 MS. SULLIVAN: Okay.

15 MR. HAUGHT: Can you give  
16 us those numbers again that were on  
17 the slide on the --

18 MS. SULLIVAN: Okay.

19 MR. HAUGHT: -- yeah. The  
20 --

21 MS. SULLIVAN: I've got it.

22 MR. HAUGHT: -- what we  
23 thought the shortfall was going to be  
24 from the decrease in appropriations  
25 and an increased cost. There was a

# Myers Reporting

<p>Sheet 7 Page 22</p> <p>1 total at the bottom, then there was 2 a total at the bottom of the fee 3 proposal from the previous -- in the 4 October -- there was a total there 5 and then there was a total based on 6 this new one. The only one I wrote 7 down, and I was able to catch or 8 that I caught was the last one. 9 MS. SULLIVAN: Okay. The 10 budgetary shortfall 2.95 million 11 dollars. And our last fee proposal 12 with the HAPs in it was 13 \$2,980,000.00. 14 MR. HAUGHT: Okay. 15 MS. SULLIVAN: And the 16 revision with permit fee applications 17 is at -- and that's all estimates -- 18 is at \$3,100,000.00. 19 MR. HAUGHT: Okay. And 20 then just for clarification there 21 were employee expenses indicated for 22 -- in increase in employees benefit 23 costs -- 24 MS. SULLIVAN: Yes, sir, 25 that was it.</p>	<p>Page 24</p> <p>1 average monthly gasoline throughput. 2 I'm assuming that's an annual 3 average? 4 MS. SULLIVAN: Okay. These 5 throughput numbers were pulled from 6 the federal rule, so I'm going to 7 have to clarify. 8 MR. COLLINS: It's doesn't 9 -- 10 MS. SULLIVAN: It's their 11 monthly throughput. But you're 12 saying they're looking at the year 13 before? 14 MR. COLLINS: Yeah. I'm 15 asking if it's a calendar year annual 16 average? It's not clear what the 17 average is and it's also not clear 18 in (a), (b) or (c). It just says 19 gasoline stations with throughput. 20 So I'm wondering if that needs to be 21 clarified. 22 MS. BRADLEY: This is Cheryl 23 Bradley. I'm with the Rules and 24 Planning Group of the Air Quality 25 Division. The terms are defined</p>
<p>Page 23</p> <p>1 MR. HAUGHT: -- and then it 2 also quoted -- it says cost of 3 retention. Do you know what's in 4 that -- included in the cost of 5 retention? 6 MS. SULLIVAN: I'll have to 7 look that up, Jim. It was from the 8 last presentation actually that that 9 was broken apart but I do have that 10 and I will get it to you shortly. 11 That was the -- I can see the slide 12 better. I'll have to go get it for 13 you and I will do that as soon as we 14 finish questions here. 15 MR. COLLINS: Pat, I have a 16 question on Subchapter 5. Do you 17 have that handy? 18 MS. SULLIVAN: Yes, sir. 19 MR. COLLINS: On fee 20 schedule for gasoline dispensing 21 facilities. 22 MS. SULLIVAN: Yes, sir. 23 MR. COLLINS: The last line 24 or so of that paragraph says shall 25 pay an annual operating fee based on</p>	<p>Page 25</p> <p>1 within the MACT Standard and how they 2 are to be calculated. So we have 3 used the wording just as it appeared 4 in the MACT standard. So we haven't 5 deviated from those calculations. 6 MR. COLLINS: Okay. 7 MS. BRADLEY: And the cut 8 points are identical to that in the 9 standards so while that's not a -- 10 it's an annual average -- I believe 11 it's a rolling annual average, but 12 all of the details are addressed in 13 the applicable MACT standard which is 14 the basis for our tiered approach for 15 this. 16 MR. COLLINS: Okay. Thank 17 you. 18 MR. LODES: Let's take a 19 quick break so we can see if we can 20 stop the hammering behind us. 21 MR. TERRILL: We're 22 concerned that the court reporter it 23 not picking up everything because of 24 the hammering. 25 (Break)</p>

# Myers Reporting

Sheet 8 Page 26

1 MS. BOTCHLET-SMITH: Please  
2 take your seats. We appreciate your  
3 patience with our noise. We think  
4 we've got it under control. So when  
5 we left off we were entertaining  
6 questions from the Council for Ms.  
7 Sullivan regarding her presentation  
8 on Subchapters 5, 7 and 8. And I'm  
9 sorry, I don't recall who was  
10 speaking last.

11 MS. MYERS: Jim.

12 MS. BOTCHLET-SMITH: Gary.  
13 Was it Gary? Okay.

14 MS. SULLIVAN: Yeah. We  
15 were just talking about Subchapter 5.  
16 And then Jim had asked about the  
17 numbers \$860,000.00 in the increased  
18 employee benefits, cost and retention  
19 we added into that.

20 This is the slide from that  
21 previous presentation. What it shows  
22 is that \$860,000.00 gap. And really  
23 this is Beverly's area so she's going  
24 to -- I think.

25 MS. BOTCHLET-SMITH: We had

Page 27

1 finance prepare some numbers for us  
2 at the October presentation and those  
3 increases included our continued cost  
4 of insurance and it also included  
5 increase in retirement. They have us  
6 on a gradual increase on retirement  
7 over the last few years until we  
8 reach -- I believe it's 16 percent  
9 contribution. And so the salary, the  
10 longevity, there is a certain factor  
11 in there for insurance. Insurance is  
12 kind of hard to determine but as you  
13 all know it's been going up for all  
14 of us including the state.

15 Also built-in to that we took  
16 our current positions and we looked  
17 at over the next five years where we  
18 would expect people to be in career  
19 progressions. And this is kind of  
20 hard to estimate, but there are  
21 certain milestones that you meet that  
22 you are eligible for a promotion  
23 based on your productivity, your  
24 performance, it's always performance  
25 based. And we took a percent of the

Page 28

1 people that were in a certain level  
2 assuming at a certain -- you know,  
3 after they had met those milestones  
4 in years that there could be a  
5 certain amount of promotions built-in  
6 to that.

7 And when finance put that  
8 together, they didn't just do it for  
9 Air Quality, they also looked at  
10 Water Quality and it was pretty  
11 consistent. Well, obviously the  
12 state requires you to be in a  
13 certain level for X-number of years  
14 before you're even eligible, assuming  
15 you are producing. So those numbers  
16 -- there is a small part of those  
17 numbers that are also included in  
18 there.

19 MR. COLLINS: Do you think  
20 that's included in the cost and  
21 retention?

22 MS. BOTCHLET-SMITH: That  
23 would be a cost of retention.

24 MR. COLLINS: Right. I  
25 guess what I was -- and I hadn't

Page 29

1 noticed that before, if it was out  
2 there, I apologize for not noticing  
3 that before. But I didn't know if  
4 there was anything -- any special  
5 programs or new programs that were  
6 being proposed to try to retain  
7 employees?

8 MS. BOTCHLET-SMITH: No.

9 MR. COLLINS: There is no  
10 new --

11 MS. BOTCHLET-SMITH: No.  
12 It's not a new program. It's just  
13 the way we -- the requirements that  
14 we've got for retirement, for  
15 insurance, and then the cost of  
16 retention.

17 MR. COLLINS: Okay. Well,  
18 I can understand that it's employee  
19 expenses. I guess I just didn't see  
20 that as a -- I mean things that you  
21 have to -- that you're having to do  
22 as a part of the state process --

23 MS. BOTCHLET-SMITH: Right.

24 MR. COLLINS: -- as an  
25 obligation. I didn't see that as

# Myers Reporting

Sheet 9 Page 30

1 cost of retention. I just wanted to  
2 make sure that wasn't something  
3 separate or if it was something new.  
4 I just wanted to know.  
5 MS. BOTCHLET-SMITH: It's  
6 all kind of included there together.  
7 I'll just -- I guess I'll go on to  
8 say retaining employees in state  
9 government can be very difficult  
10 because our salaries are  
11 significantly lower than the private  
12 sector. And it's -- we tend to have  
13 -- I don't want to call it a  
14 revolving door, but there are certain  
15 areas of Air Quality that we get our  
16 folks trained up and I can look in  
17 the audience today and see some of  
18 those that we've trained that have  
19 left us to go to the private  
20 industry. So, you know, our salaries  
21 just can't compete with private  
22 industry and this cost of retention  
23 it's only what we're allowed to do  
24 through OPM, Office of Personnel  
25 Management. You know, once someone

Page 31

1 is here for a certain period of time  
2 they are eligible for a promotion but  
3 only if it meets certain performance  
4 standards and those are included.  
5 MR. TERRILL: Yeah. I  
6 would just note, and speaking from my  
7 own personal example, the problem  
8 we're facing here is our benefits  
9 aren't keeping up. What we're able  
10 to pay our staff on benefits and  
11 what state is able to pay is not  
12 keeping up with our out of pocket  
13 expenses. And that's where -- that's  
14 not new for state government, it's  
15 everywhere, but I don't --  
16 personally, it's going to cost me  
17 about \$1,200.00 a month actual -- or  
18 not a month, a year actual out of  
19 pocket for what we aren't able to  
20 pay for insurance. And it's across  
21 the board. Our least paid staff  
22 have those same issues. So that's  
23 part of our struggle in retaining  
24 these folks, is that not only are  
25 they not getting any increases, they

Page 32

1 are losing to inflation and to  
2 increase in benefit costs. So our  
3 goal is to try to get these folks  
4 promoted as quickly as they possibly  
5 can with the understanding that they  
6 have to have a certain level of  
7 responsibility and technical ability  
8 in order to do that. So when we  
9 look at these projections we make the  
10 assumption that a new employee gets  
11 promoted as quickly as we're allowed  
12 to under existing state law, making  
13 the assumption that they turn out to  
14 be the employees that we hope they  
15 are when we hire them.

16 MR. COLLINS: Okay. Thank  
17 you.

18 MS. LODES: I'll put you  
19 kind of on the spot and this will  
20 also kind of bring in Phil on this  
21 one. I think he's back there  
22 somewhere.

23 With the change in the fee  
24 structure here, and I'm glad minor  
25 mods dropped from 5,000 apiece to

Page 33

1 3,000 apiece but that's still a  
2 pretty good chunk. And I do have a  
3 question and I know a lot of people  
4 have expressed concerns, as the new  
5 -- some of these new standards for  
6 NESHAPs and NSPS's kick in, for say  
7 one example -- prime example, is  
8 ZZZZ, are facilities going to have to  
9 go in and automatically open their  
10 permits and file minor mods to  
11 incorporate those changes? Because  
12 that means that's a huge influx of  
13 these minor modifications that may  
14 need to be done.

15 MR. FIELDER: Are you a  
16 referring to minor sources -- minor  
17 source applications or what was --  
18 I'm sorry, I didn't catch all that.  
19 I was studying over there.

20 MS. LODES: Yeah, I know, I  
21 was kind of putting you on the spot.

22 On the Title V's -- and I've got --

23 MR. FIELDER: Title V's.

24 MS. LODES: -- I'm getting  
25 lots of questions all around on this.

# Myers Reporting

Sheet 10 Page 34

1 As some of the new standards kick  
2 in, I know David mentioned JA and I  
3 know ZZZZ, the existing source  
4 standards in ZZZZ, as they kick in  
5 and facilities are, say, putting on  
6 catalyst to comply with the new ZZZZ,  
7 are they going to have automatically  
8 file a minor modification to their  
9 current -- their Title V permit to  
10 incorporate those changes or is it  
11 just a matter of the next renewal  
12 that those get incorporated?

13 MR. FIELDER: The way I  
14 understand it, the obligation to  
15 reopen a permit is an obligation of  
16 the state and not of the source.  
17 Those regulations are federally  
18 enforceable in and of themselves, so  
19 that obligation to the source is  
20 there. But my recollection of the  
21 regulation is that it's an obligation  
22 of the state. It's a policy by EPA  
23 for the three and two-year rule. If  
24 there is more than three years left  
25 on the Title V they do expect us to

Page 35

1 take some action to reopen the permit  
2 and include those regulations. If  
3 there is less than two, then they're  
4 going to rely on the renewal date of  
5 the application. So I'll have to go  
6 look but I believe it's an obligation  
7 of the state and not a mandatory  
8 requirement of the source.

9 MS. LODES: Okay. If you  
10 do reopen it, like you're talking  
11 about with the three-year, does that  
12 mean that they are going to have to  
13 go in and pay the fee or is that --  
14 is there -- what's the fee on that?

15 MR. FIELDER: That is a --  
16 again, I believe, an obligation of  
17 the state so there is no fee  
18 associated with that.

19 MS. LODES: Okay.

20 MR. FIELDER: I'll check --  
21 I've got the rules over there, in a  
22 second, but I believe that's the  
23 case.

24 MS. LODES: I just -- that  
25 was one question I had. And then on

Page 36

1 the -- don't go away, I'm going to  
2 pick on you some more.

3 The minor source ones -- and  
4 we've had this question around and  
5 the individual permit construction  
6 fee is going up, right now the  
7 policy has been for facilities that  
8 follow a general -- or an NOI to  
9 construct and then file an individual  
10 to operate, they've had to go back  
11 and pay the difference in the  
12 construction fees. So right now you  
13 would pay the 400 for an NOI to  
14 construct, when you go to pay the  
15 general -- for an individual to  
16 operate, that's \$500.00 and you've  
17 had to pay the \$1,100.00 difference.  
18 Well, it's going from 1,500 to  
19 \$2,000.00 so there has been  
20 questions. What is -- is that still  
21 going to be? What is policy there?

22 MR. FIELDER: That's  
23 probably policy in making but --  
24 again, this is Phillip Fielder with  
25 the permitting section and I wanted

Page 37

1 to reiterate who's speaking here, not  
2 for that question but just for the  
3 overall question. Again, that's kind  
4 of been an internal policy related to  
5 fairness to the industry. I think  
6 that's where that originated from in  
7 how sources can and get permitted in  
8 different avenues to take advantage  
9 of the NOI was -- the reason we did  
10 that originally was sources taking  
11 advantage of the NOI process without  
12 the intent of operating under the GP.  
13 I'm not sure that policy would  
14 necessarily change just because the  
15 fee changed. I don't know that if  
16 that really makes sense, but it's  
17 something that we can obviously  
18 consider. That's my best response to  
19 that.

20 MS. LODES: Okay. I don't  
21 think that I have any other  
22 permitting questions.

23 MR. FIELDER: Okay.

24 MS. LODES: Did you have  
25 more?

# Myers Reporting

<p>Sheet 11 Page 38</p> <p>1 MS. BOTCHLET-SMITH: Do we 2 have any other questions from the 3 Council at this time? Okay. 4 I've received one Notice of 5 Oral Comment from the public. I'm 6 just encouraging you, if there is 7 anyone else that wants to speak, if 8 you could please fill one of these 9 out and get it to us in the next 10 couple of minutes. But at this time 11 I'll call on Angie Burckhalter of 12 OIPA. 13 MS. BURCKHALTER: Angie 14 Burckhalter, with OIPA. As Pat said, 15 we submitted our comments last week 16 on Subchapters 5 and 7. We 17 recognize and understand DEQ's 18 funding issues. We worked with a 19 number of different state agencies 20 and many agencies are going through 21 the same thing. But at the same 22 time, I represent a number of small 23 businesses and our concerns are the 24 impacts to the small businesses. 25 They've taken, you know, had problems</p>	<p>Page 40</p> <p>1 as an alternative, that they either 2 consider maybe a one-time assessment 3 fee or some kind of tiered structure 4 that would include something for 5 small businesses of, you know, 6 reduced or lower rate. 7 On Subchapter 7, DEQ proposes 8 to increase the applicability 9 determination from 250 to \$500.00. 10 One of the issues that was brought 11 up by our members as regarding to, 12 if they go to DEQ and request an 13 applicability termination and it ends 14 up that they're -- that they don't 15 need a permit, they are basically out 16 of those fees, \$500.00. And again, 17 my comments are focused on the small 18 businesses. They just lose \$500.00 19 if they don't ultimately end up 20 needing a permit. 21 So we would recommend that DEQ 22 leave the fee at 250 for those 23 facilities or for those small -- for 24 applicability terminations or at 25 least consider some kind of tiered</p>
<p>Page 39</p> <p>1 during this economic downturn. 2 And so in regards to Subchapter 3 5, DEQ proposes to assess a \$250.00 4 on area sources and my focus is on 5 other area sources, not the gasoline 6 sources but the other ones. And 7 many of our members may be subject 8 to this and so these sources are 9 typically in rural areas. The 10 smaller operators usually have a few 11 employees and so our concerns are for 12 them. We're not really quite sure 13 what DEQ will use the \$250.00 fee 14 for because these won't be permitted 15 sites. And then even if staff 16 decides to go, you know, inspect or 17 look at these sites, I would assume 18 that there could be, you know, maybe 19 hundreds of these and not really sure 20 if DEQ really has the capacity or 21 the staff level to go and investigate 22 all these sites. 23 We request that the fee on 24 those other area sources be removed. 25 And also in our comments we submitted</p>	<p>Page 41</p> <p>1 approach that would address small 2 businesses. 3 And again, on the construction 4 and operating permit fees, we think 5 some of the increases are very 6 significant. My focus again is on 7 small businesses. And again, we 8 would suggest something like some 9 kind of tiered approach that would 10 address the impacts to small -- small 11 businesses, small operators. 12 Those are my comments. I 13 appreciate it. Thank you. 14 REPORTER: Angie, for the 15 record would you spell your last 16 name, please? 17 MS. BURCKHALTER: 18 B-u-r-c-k-h-a-l-t-e-r. 19 MS. BOTCHLET-SMITH: Is 20 there anyone else from the public 21 that wishes to comment? 22 Hearing and seeing none, we'll 23 give it back to the Council for 24 other questions. David. 25 MR. BRANECKY: I guess I</p>

# Myers Reporting

Sheet 12 Page 42

1 don't necessarily have a question  
2 more than comments. Nothing really  
3 in particular as far as wording  
4 changes in the rule, just  
5 observations that I've made.

6 I think I would just like to  
7 go on the record to say that I think  
8 these stationary sources in Oklahoma  
9 pay their fair share, more than their  
10 fair share of supporting the Air  
11 Quality program. And I recognize the  
12 need for DEQ to have a -- increase  
13 their funding to cover the costs but  
14 a shortfall they are getting. And  
15 as a representative working for a  
16 regulated utility we don't -- we  
17 can't just go out and raise our  
18 (inaudible) fees, we have to go to  
19 the Commission to get approval. And  
20 one of the questions they always ask  
21 us is what are you doing to control  
22 your costs?

23 So I guess my question to DEQ  
24 is has anybody reviewed or looked --  
25 what have you done to try and

Page 43

1 control your costs -- reduce your  
2 operating costs at the same time, you  
3 know, as you're requesting the fee  
4 increase.

5 And also the, you know, I said  
6 these stationary sources pay their  
7 fair share and I don't have any  
8 problem with feeing mobile sources.  
9 I'm not saying that feeing gasoline  
10 stations is the best way to go,  
11 that's a burden on small business.  
12 I would prefer -- and I know this is  
13 not possible, we've tried it before,  
14 but a gasoline tax increase is a  
15 more equitable way or a fee increase  
16 on tags. People that use their  
17 cars, pollute the air, they need to  
18 share the burden. That's my soapbox  
19 for the day.

20 I would be remiss if I didn't  
21 ask that Council have a little more  
22 oversight in how things are going  
23 throughout the year with respect to  
24 the -- the fee income versus  
25 expenditures. I know that there is

Page 44

1 wording in there that allows the  
2 Department to reduce the costs if the  
3 Department sees it's fit. But I  
4 think Council has an obligation that  
5 if we're going to give this fee  
6 increase to the DEQ that we have an  
7 obligation to make sure that things  
8 are okay. I'm not accusing anybody  
9 of doing anything wrong or saying  
10 that you guys are doing anything  
11 wrong, but I feel an obligation as a  
12 Council Member to make sure that the  
13 fees are done properly. And if you  
14 don't need the fees, you're getting  
15 too much money, then we need to pass  
16 that money back to the fee payer.

17 And finally, one last thing.  
18 This is totally different. I would  
19 ask that if the Council or if the  
20 DEQ gets comments, is it possible to  
21 scan those comments in and email  
22 those to us before the Council  
23 meeting. I need -- I'd like to have  
24 some time to review those before we  
25 are here at the Council meeting. It

Page 45

1 would be helpful to me to scan those  
2 and email those to us before the  
3 Council meeting so we could look at  
4 them. I'm able to make a better  
5 judgment call rather than just trying  
6 to sit here reading them before the  
7 meeting and during the meeting. Just  
8 a suggestion. Thank you.

9 MR. TERRILL: Let me try to  
10 address that. Let me start with the  
11 last one. We've got no problem  
12 doing that, but when they come in  
13 the day before it's --

14 MR. BRANECKY: I understand.

15 MR. TERRILL: -- that makes  
16 it -- that makes it kind of tough to  
17 do that because we've got other  
18 things we've got to do besides --  
19 especially that close to the Council  
20 meeting.

21 Let me just take a crack at  
22 responding and I may -- if I miss  
23 something remind me. I'll try to  
24 remember what you said.

25 Let me start with Angie's

# Myers Reporting

Sheet 13 Page 46

1 question about the \$250.00 charge for  
2 the other area sources we've got  
3 besides the gasoline dispensing  
4 facilities. We're at a point where  
5 we have, like all of the other  
6 states, are having to assess what are  
7 these NESHAPs, what are these MACT  
8 standards we're going to accept to  
9 implement? And I made the decision  
10 some months back that we're not going  
11 to accept anymore MACT standards for  
12 implementation until we've got a way  
13 to implement the program. A lot of  
14 states are just saying we're not  
15 going to take it. We don't have the  
16 resources; we don't have a way to  
17 implement it. It became such a  
18 problem that the Office of Compliance  
19 working with OWEEKA national  
20 enforcement put together a guidance  
21 document for regional offices to  
22 implement it and states can use this  
23 as well. But it's a way to take a  
24 look at the environmental benefit of  
25 these area source MACTs and try to

Page 47

1 figure out how you implement a  
2 compliance plan. And they've done  
3 that primarily for the regional  
4 offices because it will fall to the  
5 regional offices to figure out how  
6 they would do that in the event that  
7 the states don't take them.  
8         There are too many of them for  
9 the regional offices to implement all  
10 of them. What they will probably do  
11 is divide them up among the ten  
12 regions and each one will, you know,  
13 figure out how they will go about  
14 verifying compliance. I have no idea  
15 how they are going to do it.  
16 They've got just as big a resource  
17 issue as we do. But what we're  
18 going to do with the money that  
19 we're talking about here is implement  
20 an across the board compliance --  
21 some type of compliance plan for all  
22 of the area source MACTs. More than  
23 likely it's going to be an outreach,  
24 an education-type program. I can't  
25 -- Angie's right. We don't have the

Page 48

1 resources to do inspections at all  
2 these facilities, plus, it's a waste  
3 of time. There is not an  
4 environmental benefit to be had. I  
5 do think there is a benefit to our  
6 sources if we implement the program.  
7 And there is some certainty about how  
8 we're going to do that and we  
9 communicate through trade  
10 associations or through other means  
11 to make them aware of what you need  
12 to do to comply and try to put  
13 together a plan for them to comply  
14 with the rule in the least onerous  
15 way as possible. Gives them some  
16 certainty and it guarantees that  
17 we'll be the ones that will deal  
18 with them in the event that there is  
19 some kind of problem. So that's  
20 what we would do with the fee  
21 structure relative to the other area  
22 sources.

23         David is right about the  
24 accountability thing. We have no  
25 problem and I think it's a good

Page 49

1 idea, one of the Council Members  
2 raised the idea of coming back to  
3 the Council probably in December of  
4 next year some where -- either the  
5 last Council meeting of the year or  
6 the first Council or this one of  
7 next year and kind of giving you all  
8 an update on where we are. What did  
9 we -- did we hit the mark on what we  
10 estimated, because some of these are  
11 guesses. The permit fees our guess  
12 as to what it would -- what it will  
13 bring in. A bigger guess has been  
14 -- we estimated what we think we're  
15 going to gather relative to the area  
16 sources. But it could be a lot more  
17 or it could be a lot less. If it  
18 turns out to be a lot more we don't  
19 need more than we need. We can't  
20 carryover a balance. So we would  
21 come back to you all and give an  
22 accounting of here's what we passed;  
23 here's what we collected; here's  
24 either the plus or the minus. If it  
25 turns out to be a plus we'll give

# Myers Reporting

Sheet 14 Page 50

1 you guys some options. Well, here's  
2 some one-time things that we would  
3 spend it on, or we can do a -- and  
4 give you guys at least that much of  
5 an input into how we do our  
6 business. I'm not interested in  
7 doing our budget process with the  
8 Council. But I do think that -- if  
9 you guys are taking a leap of faith  
10 in trusting us that we'll manage this  
11 increase correctly, I think the least  
12 we can do is come back and do an  
13 accounting of what we actually  
14 collected and if it's an overage of  
15 what we estimated, give you guys some  
16 options about what we would do with  
17 it, either keep it or refund it  
18 back. That would be your call. I  
19 think that's fair enough on that.

20 What else did you ask about,  
21 David?

22 MS. BOTCHLET-SMITH: Pardon  
23 me. Can I interrupt you for just a  
24 second?

25 MR. TERRILL: Sure.

Page 51

1 MR. BRANECKY: Sure.  
2 MS. BOTCHLET-SMITH: David,  
3 I just want to add to what Eddie  
4 said. That in addition to the  
5 clause that we have in the rule that  
6 if there is more money than we need  
7 that we would take a look at it. In  
8 252:4-1-7 it's Chapter 4. Excuse me.  
9 Excuse my voice. There is a section  
10 titled Fee Credits for Regulatory  
11 Fees. This actually lays out exactly  
12 what we would have to do to refund  
13 money. How much money can be  
14 carried over. I'll hit some high  
15 points here. But the Executive  
16 Director can authorize divisions of  
17 DEQ that have programs that collect  
18 money of recurring fees to apply a  
19 credit towards their future invoices.  
20 Only the amount that is projected to  
21 exceed three months of funding beyond  
22 the upcoming budget year for that  
23 program can be credited. And there  
24 is some conditions that apply for  
25 that money to be credited. There

Page 52

1 must be a projected balance in the  
2 fee account carried over from the  
3 previous year which would be the  
4 situation that we're talking about  
5 could potentially happen. The credit  
6 must be distributed pro rata among  
7 the fee payers. The credit must be  
8 large enough to justify  
9 administrative costs. And the  
10 division must be unaware of a longer  
11 range need. And then it gives an  
12 example in here such as a match for  
13 a superfund project. But it's not  
14 limited just to Land Protection. And  
15 I think again, that would be what  
16 you're referring to that we would  
17 throw some options out there if there  
18 was some type of a long-range need  
19 that we could identify where that  
20 might fit. But I just mainly wanted  
21 to let you know that, you know, it's  
22 not just us saying, oh, yeah, we'll  
23 look at it. There's actually  
24 provisions in Chapter 4 and it lays  
25 out a method that we would follow to

Page 53

1 determine that.  
2 MR. TERRILL: David, you had  
3 mentioned the notion of looking at a  
4 statewide mechanism for addressing  
5 these needs and we obviously support  
6 that. We've tried it in the past as  
7 you're well aware. And Steve  
8 Thompson and I, are in the process  
9 of meeting with the petroleum  
10 marketers. They are going -- by  
11 coincidence they are having their  
12 statewide annual meetings. They had  
13 one last night in McAlester; they are  
14 having one tomorrow night in Tulsa;  
15 and then next Tuesday night here in  
16 Oklahoma City. So we're going to  
17 their meetings and advising their  
18 members of the proposals that we have  
19 here relative to gasoline dispensing  
20 facilities. Primarily to not only  
21 make them aware of these pending  
22 costs, but to solicit their help in  
23 working with us and hopefully other  
24 folks, industrial folks over at the  
25 State Capitol this year to look at

# Myers Reporting

Sheet 15 Page 54

1 mechanisms for a statewide fee that  
2 would address this mobile sources  
3 issue and, you know, if we're lucky  
4 enough to get enough money maybe to  
5 alleviate the need for this increase  
6 at all. Because if we can either do  
7 it through a car tag, or whatever  
8 means, Steve's looking at a lot of  
9 different options. Well, not a lot,  
10 but a couple of interesting options  
11 that I don't want to really go in to  
12 because there is some ground work  
13 that has to be laid. But all of  
14 these options we can't -- DEQ is not  
15 going to be able to get. It's going  
16 to be an uphill struggle to get  
17 anything. But it certainly won't be  
18 possible if we don't have the  
19 legislative support from the  
20 industrial fee payers and the  
21 government relations folks with the  
22 petroleum marketers based on the  
23 comments I heard from some of the  
24 legislators that was meeting last  
25 night must be really good. They

Page 55

1 just were -- got a lot of  
2 compliments about how well they do  
3 their business. So if we're able to  
4 leverage their help over at the  
5 Capitol then that might be another  
6 asset that we've got to maybe look  
7 at a statewide mechanism of some  
8 sorts and if that happens by the end  
9 of the session then we would move  
10 forward with that as opposed to this  
11 fee increase and then come back to  
12 the Council to either resend it or  
13 whatever we need to do to modify  
14 that. But we're absolutely -- I  
15 couldn't agree with you more. It's  
16 just been -- it's impossible for DEQ  
17 to do it. I mean they just won't  
18 listen to us. We've got to have  
19 industrial folks and other fee payers  
20 that are there with us to make our  
21 case in order to push this. Some of  
22 the things that Steve's looking at  
23 will take a statutory fix. I know  
24 he's got one idea that's real  
25 appealing that will require some

Page 56

1 legislative -- some legislation to  
2 get it done but it would solve the  
3 water and the air problem if we're  
4 able to do that.

5           So he's going to propose some  
6 ideas about working at least with the  
7 petroleum marketers and we hope that  
8 other folks here that have lobbyists  
9 and the ability to work with us will  
10 work with Steve to get that done  
11 this legislative session.

12           MR. BRANECKY: But the other  
13 one was what are you guys doing to  
14 control costs?

15           MR. TERRILL: Oh. Well,  
16 the shortfall we've got here is not  
17 based on our increase in what we do.  
18 I mean it's nothing -- we haven't  
19 generated any of this through  
20 additional employees. It's just to  
21 make up for what we're not getting  
22 from the legislature relative to  
23 general appropriations for our  
24 benefits and our -- the pay raises.  
25 Although we haven't had any in four

Page 57

1 years. Before that the pay raises  
2 that they authorize across the state  
3 are not -- we never get any of that  
4 money, we have to make it up through  
5 -- within our own revenues. So  
6 we're always looking at the fixed  
7 costs that we've got relative to what  
8 we might be able to do to control  
9 those but so much of it is tied up  
10 in personnel. And the whole point  
11 of this is we've got federal  
12 requirements that we can either take  
13 or not take and I'm not even looking  
14 at what greenhouse gases might bring  
15 or any of the other things that EPA  
16 is going to be proposing. So we  
17 believe that given the number of FTEs  
18 that we have that we haven't been  
19 able to fill, we can do all the work  
20 that's coming if we have the ability  
21 to fill those positions. So you  
22 know, David, I don't know what else  
23 we can do to control costs. I mean  
24 we don't -- we're buying less  
25 computers on a -- we're rotating our

# Myers Reporting

Sheet 16 Page 58

1 old computers out on a less frequent  
2 basis. We're not buying any  
3 furniture.  
4 MS. BOTCHLET-SMITH: We're  
5 not renewing some of the software.  
6 Just this last week we were doing a  
7 review of some software packages that  
8 had been used in the past and we  
9 have found other alternatives that we  
10 can get at the data that we need  
11 without using that software. We're  
12 not purchasing the software. I mean  
13 when you're looking at approximately,  
14 ten to twelve percent of your budget  
15 as non-personnel it gets pretty lean  
16 as to where those cuts can be made.  
17 And, you know, we're looking at --  
18 like Eddie said, you know, we don't  
19 travel as much. We've done video  
20 conferencing. We've worked with EPA  
21 and CENSARA to combine that one  
22 meeting a year that we have to meet  
23 with EPA to where we travel one  
24 time. And, you know, so there's  
25 little things you can cut and, you

Page 59

1 know, we do -- like it or not, when  
2 you talk about travel we've got to  
3 get out in the field because that is  
4 part of our job. We've got to go to  
5 those monitoring stations. You can't  
6 cut there. You've got to go out and  
7 do those inspections. You can't cut  
8 there either. And we have used  
9 stimulus money over the last two  
10 years through our DERA program to  
11 refocus. Some of the folks have  
12 been working on that and been funded  
13 through that. And that money is  
14 going to be going away in June  
15 because the projects will be done.  
16 MS. MYERS: What about the  
17 EFO letter that was submitted. I'm  
18 like David, I haven't seen some of  
19 this until this morning. But one of  
20 the concerns or the thoughts that  
21 they threw out was either decreasing  
22 the size of the Tulsa office or  
23 eliminating it and consolidating  
24 activities for all of Oklahoma out of  
25 the central office here.

Page 60

1 MR. TERRILL: Well, the  
2 whole purpose of the Tulsa office was  
3 to provide access to the services --  
4 the permitting services primarily in  
5 that part of the state so they don't  
6 have to come to Oklahoma City. You  
7 know, we do have an aging, close to  
8 retirement, permitting staff up there  
9 and that is one of the options that  
10 we can look at is when those folks  
11 retire, move those positions down  
12 here to Oklahoma City. It would be  
13 a lot easier on our managers to do  
14 that but I don't know that that is  
15 something that the regulated  
16 community up there would want to give  
17 up; the opportunity to go to Tulsa  
18 if you live in that area as opposed  
19 to coming all the way to Oklahoma  
20 City.

21 MS. MYERS: It's not any  
22 further to go to Oklahoma City from  
23 Tulsa than it is from Ada or Broken  
24 Bow or Lawton.

25 MR. TERRILL: Well I'm --

Page 61

1 I'm --  
2 MS. MYERS: I understand  
3 that, you know, the history behind it  
4 but as we're all looking at ways to  
5 consolidate and increase efficiency  
6 and make sure that everybody is on  
7 the same page, the same wavelength,  
8 it's no further from Tulsa than it  
9 is from any other part of the state  
10 to come to Oklahoma City.

11 MR. TERRILL: The other part  
12 of that equation and what I suspect  
13 that this is really getting at is  
14 moving our enforcement and compliance  
15 folks to Oklahoma City. And I'm not  
16 going to do that. I'll just be  
17 blunt about it. I'm not going to do  
18 it because I don't believe that it's  
19 fair to the citizens when we respond  
20 to complaints and it also cuts down  
21 on our travel. It allows us to have  
22 folks that operate -- we divide the  
23 state up in quadrants and let the  
24 Tulsa folks work out of that office  
25 so they don't have to travel as far

# Myers Reporting

Sheet 17 Page 62

1 as we do coming out of Oklahoma City  
2 to go to the northeastern part of  
3 the state. So it saves us travel  
4 and we're going to have to have the  
5 staff anyway. And we do have some  
6 operating costs relative to the  
7 office up there as far as maintaining  
8 the office. But we've also got ECLS  
9 folks in that office and they do a  
10 lot of their local work out of it  
11 and at times -- we haven't done this  
12 in awhile but we have had land  
13 protection and water folks out of  
14 that office as well. So it's just -  
15 - it's obviously something that we  
16 can look at as we're evaluating our  
17 overall goals and what we're trying  
18 to do. But there is other things  
19 that would have to come into play as  
20 well. There is a political issue  
21 that the Tulsa folks kind of like  
22 having an office there as opposed to  
23 coming out of Oklahoma City. And,  
24 you know, there is a lot of states  
25 that have local programs, and we had

Page 63

1 those for a number of years both in  
2 Oklahoma City and Tulsa that was --  
3 that did not work well. It just  
4 doesn't work well when you've got a  
5 bifurcated system where you've got  
6 part of the authority lies with the  
7 city/county or (inaudible) program  
8 and part of it lies with the state  
9 program. And by having that office  
10 up there that eliminates the -- I  
11 think eliminates the need for them to  
12 want to have someone addressing those  
13 issues in the Tulsa area and it's  
14 the only large -- really large  
15 metropolitan area we've got. I just  
16 think that it makes a lot of sense  
17 to keep that office there. Having  
18 said that I think you've made some  
19 good points. We will look at trying  
20 to make some efficiencies out of  
21 that. That's a fair -- that's a  
22 fair comment.

(Comments)

23 MS. MYERS: My other  
24 question on looking at this with a  
25

Page 64

1 fee applied to some of the gasoline  
2 dispensing facilities is how are  
3 these people even going to know that  
4 they are now obligated to pay fees  
5 and how is that going to be enforced  
6 to be assured that everybody is  
7 participating? I know with some of  
8 the other programs it's been  
9 difficult to get information to  
10 consolidate from the Tax Commission  
11 with DEQ -- Tire program is one of  
12 them -- to ensure that everybody is  
13 participating?

14 MS. LODES: And on that  
15 note, just kind of a follow-up with  
16 it all, has anybody told these guys  
17 that if they build a new filling  
18 station they're really supposed to  
19 have a permit -- an air permit prior  
20 to construction of the Oklahoma  
21 Regulations?

22 MR. TERRILL: Yeah. I've  
23 told them that. And they're --

24 MS. LODES: Have you  
25 received any?

Page 65

1 MR. TERRILL: No. We  
2 haven't received any. We talked  
3 about this last night and this is  
4 kind of the tradeoff that we're  
5 working with them on. They are  
6 aware of it through their petroleum  
7 marketers. I would have a hard time  
8 believing that other than probably a  
9 few of the folks in the very rural  
10 areas that they don't know about this  
11 through their trade association.  
12 Having said that, our folks are  
13 pretty confident -- our inventory  
14 folks who have been looking at this,  
15 that the records that we can get  
16 through the Corporation Commission  
17 and others, will cover 95 percent if  
18 not more of all the stations that  
19 are operating out there. And we'll  
20 do an outreach as part of this to  
21 make sure that the list that we've  
22 got is as correct as possible. I  
23 believe that they know about it for  
24 the most part. I know the big ones  
25 do that are going to be hooked with

# Myers Reporting

Sheet 18 Page 66

1 this. And they're also aware that  
2 in some cases they should have had  
3 permits that we'll be working through  
4 with them on getting their permits.  
5 And again, it's one of those things  
6 where -- it's like anything else, if  
7 we find someone that -- especially a  
8 minor source, that doesn't have a  
9 permit, we don't take enforcement  
10 action. If they get their permit  
11 then, they get their permit and they  
12 go about their business, you know,  
13 it's not an enforcement-type program.  
14 But we're very much aware that we do  
15 have some sources out there that are  
16 going to need permits. We think we  
17 probably know about who they are and  
18 making the assumption that this gets  
19 through the legislature and gets  
20 through you all, and the Board, and  
21 the legislature, then we'll start  
22 work with those folks sometime in  
23 July or August to get them in the  
24 fold.

25 MS. LODES: I have two

Page 67

1 other questions to kind of follow up  
2 on Angie's questions.  
3 One, and I know we talked  
4 about it in our Council pre-meeting  
5 but a question she had that is kind  
6 of fundamental here, did you all look  
7 at anything about doing some kind of  
8 a fee difference or a tier approach  
9 for small businesses? Because there  
10 are a lot of small operators around.  
11 MR. TERRILL: No, we didn't.  
12 And really you've kind of got to  
13 look, 250 is kind of on the border  
14 anyway, of what -- you get much  
15 lower than that and it's -- you  
16 start looking at whether or not it's  
17 even from a finance standpoint worth  
18 the paperwork that you've got to go  
19 out and send the bill out. And  
20 because we're doing this in such bulk  
21 we thought that that would overcome  
22 that. So, no, to be honest with you  
23 we did not look at doing a tiered  
24 approach to that.

25 MS. LODES: Okay. The

Page 68

1 other question that I have on the  
2 area sources are -- area sources that  
3 are unpermitted that are assessed to  
4 annual operating fees. What about  
5 area sources that are de minimis?  
6 And the best example that I can  
7 think of off the top of my head  
8 would be Subpart HH sources. They  
9 are de minimis under the NSP --  
10 under the NESHAPs, so all they have  
11 to do is recordkeeping, and they have  
12 no permitting obligations so they  
13 have no -- nothing other than a  
14 record of yes, the throughput is less  
15 than a 3M of BTUs, or three million  
16 standard cubic feet per day or 1 ton  
17 of benzene. Are they considered one  
18 of these area sources that are going  
19 to have to -- have to pay even  
20 though they are de minimis under even  
21 the area source rule?

22 MR. TERRILL: So they  
23 wouldn't have to get --

24 MS. MYERS: What is HH?

25 MS. LODES: They are

Page 69

1 completely de minimis under NESHAPs  
2 HH.  
3 MS. MYERS: What is HH?  
4 MS. LODES: That is for  
5 glycol dehydration units. It's the  
6 prime example I can think of off the  
7 top of my head. Angie's -- some of  
8 her's was talking about it. But it  
9 would be for very small glycol  
10 dehydration units in the state if  
11 they are less than 3 M's -- MMSCF  
12 per day or the one ton of Benzene,  
13 they are considered de minimis under  
14 NESHAP HH and they have no  
15 requirements under that other than  
16 they have to keep (inaudible, due to  
17 cough) records. And so are they --  
18 are those sources going to be subject  
19 to this 20 -- and I know there are  
20 other ones that have de minimis  
21 levels in them. That's just the one  
22 that I can think of off the top of  
23 my head.

24 MR. TERRILL: And they are  
25 not subject to any other NESHAP

# Myers Reporting

Sheet 19 Page 70

1 requirement, that's the only one?  
2 MS. LODES: No. Nothing.  
3 I mean they're de minimis. They're  
4 kind of like NSPS Subpart KB, you  
5 know, you got -- if you've got a  
6 sources that's below the capacity  
7 size it's nothing but maintaining the  
8 record of the tank size. And so  
9 it's considered de minimis under even  
10 that.  
11 MR. TERRILL: I honestly  
12 don't know how to answer that. I'll  
13 probably want to talk to -- it  
14 doesn't make -- it doesn't make --  
15 well, I don't know. I can see or  
16 make an argument on both sides of it  
17 that --  
18 MS. LODES: Well, I guess I  
19 can see the area sources that --  
20 because they are an existing source  
21 and like I'll say metal fabrication  
22 or one of those, that because they  
23 were constructed before the NESHAP  
24 came out they now have standards  
25 underneath that that they have to

Page 71

1 meet, work practice standards and  
2 other such things.  
3 MR. TERRILL: Right.  
4 MS. LODES: But they have  
5 no obligation under our rules to get  
6 an operating permit. Those are the  
7 areas sources that I think are  
8 clearly in here.  
9 MR. TERRILL: And that's  
10 really what we were -- that's really  
11 the ones that we were thinking about  
12 when we did this.  
13 MS. LODES: Okay. Then my  
14 question would be what are the other  
15 ones that are de minimis underneath  
16 this? I mean -- or could we clarify  
17 this and say area sources that are  
18 subject to a work practice or a  
19 emission limit standard? So if  
20 somebody is de minimis and are not  
21 subject to anything then you're not  
22 catching the ones that you're  
23 thinking about.  
24 Because Subchapter 7 requires a  
25 source subject to a NESHAP or an

Page 72

1 NSPS, if it has a work practice  
2 emission limit standard then you  
3 trigger the permitting requirements.  
4 MR. TERRILL: Right.  
5 MS. LODES: I think that  
6 we're looking at the area sources  
7 that were constructed as such that  
8 they are never triggered to get an  
9 operating permit.  
10 MR. TERRILL: Right.  
11 MS. LODES: The other flip  
12 side of this is all the area sources  
13 that don't have anything but  
14 recordkeeping. Those would never  
15 trigger a permitting requirement  
16 under our rules right now. They --  
17 it's not even based on age. There  
18 is nothing in there.  
19 MR. TERRILL: Well, the  
20 whole purpose is for us to be able  
21 to put together a compliance program  
22 for those sources that are subject to  
23 a NESHAP -- a federal NESHAP  
24 requirement. And so those -- if the  
25 source is not required to do anything

Page 73

1 other than recordkeeping to verify  
2 that they are --  
3 MS. LODES: Right.  
4 MR. TERRILL: -- where  
5 they're supposed to be, that really  
6 doesn't rise to the level of what we  
7 were thinking about relative to what  
8 we would implement as far as a  
9 statewide compliance program.  
10 MS. LODES: And then maybe  
11 that's something in this -- on 5-2.3  
12 (3) where it says other existing area  
13 sources. As we say area sources  
14 subject to an emission limit or a  
15 work practice standard.  
16 MR. TERRILL: I --  
17 MS. LODES: And then there  
18 are the ones who are just  
19 recordkeeping fall out. And then you  
20 -- you're not catching -- one, we  
21 don't think you can go out and find  
22 all these area sources to begin with.  
23 And so it's going to be unfair.  
24 It's going to end up being the big  
25 oil and gas companies who have got a

# Myers Reporting

Sheet 20 Page 74

1 bunch of HH de minimis sites are  
2 going to be the ones who end up  
3 paying this \$250.00 fee, and the 250  
4 automobile shops out there that are,  
5 you know, doing metal fabrication or  
6 welding shops they're never going to  
7 pay that fee.

8 MR. TERRILL: Yeah. And  
9 that's about what -- I want to talk  
10 to -- before you guys vote, if you  
11 want to make that change I want to  
12 make sure that we're not shooting  
13 ourselves in the foot, so I want to  
14 confer with my legal folk. But  
15 that's an interesting point.

16 MS. LODS: I hadn't really  
17 thought through it until some of  
18 Angie's comments.

19 MR. TERRILL: Yeah. That's  
20 the reason I want to make sure that  
21 before we could say, yeah, we could  
22 agree to that, I want to make sure  
23 that I can talk with the legal  
24 folks. So before we get --

25 MS. LODS: Okay.

Page 75

1 MR. TERRILL: -- let's go  
2 ahead and get all the other questions  
3 and then maybe we can take a break  
4 before you guys are ready to vote.

5 MS. LODS: Okay. Do we  
6 have other questions?

7 DR. LYNCH: I've got a hard  
8 one for you. But they're all hard.  
9 So what if we don't fund this? What  
10 (inaudible) three million dollar  
11 shortfall?

12 MR. TERRILL: Well, we would  
13 continue to -- hopefully we wouldn't  
14 lose the support of the petroleum  
15 marketers and the other industry  
16 folks that have expressed an interest  
17 in helping us look at a statewide  
18 mechanism to fund this. We would  
19 still move forward with that. I  
20 don't know how much success we would  
21 have because you can make an argument  
22 on both sides of that issue. You  
23 can argue that legislature has no  
24 incentive to do that if you all have  
25 already passed a fee that's going to

Page 76

1 be assessed. But the other part of  
2 it, which I think is more compelling,  
3 is there is no incentive for industry  
4 to work with us over at the  
5 legislature if they're not going to  
6 be feed as a consequence of them not  
7 getting another mechanism to fund.  
8 Because if we lose that support we're  
9 wasting our time over there. We  
10 don't have anyway to use influence to  
11 get anything relative to increasing  
12 our fund. So that's the argument  
13 that I would make about why the fee  
14 increase would help leverage our  
15 ability to do something at the  
16 legislature. But the bottom line is  
17 we'll operate with what we've got and  
18 we'll do the best we can. We'll do  
19 an assessment of what our core  
20 programs are, permitting, compliance,  
21 and enforcement. And we'll draw back  
22 to those core programs. The things  
23 we do such as -- I know we've got an  
24 obligation to fund through Title V  
25 the small business community

Page 77

1 outreach-type stuff. But we're going  
2 to do very little of that because  
3 that's the whole purpose of doing the  
4 area source MACT is to help with  
5 some of those smaller sources that we  
6 don't normally deal with. So we'll  
7 just -- well, the bigger thing is we  
8 will not accept anymore new work from  
9 the feds. Anything that comes along  
10 we're not going to do it. Whether  
11 it be greenhouse gases; whether it be  
12 area source MACTs; whatever it is if  
13 there is not a -- if the feds don't  
14 have a way to pay for it we're not  
15 going to do it and that's just as  
16 plain as I can be about it until we  
17 have a way to do the work. So we'll  
18 assess what our core programs are,  
19 run the monitors; do the inspections;  
20 do the permits; and that's what we'll  
21 do. And if we don't have the  
22 ability to do all of those then  
23 we'll reassess, you know, we'll just  
24 do what -- we'll work with what  
25 we've got.

# Myers Reporting

Sheet 21 Page 78

1 MR. BRANECKY: And so your  
2 plan is, at least on the gasoline  
3 dispensing facilities, this is -- if  
4 we pass this and it goes to the  
5 Board, and the Board passes it, it  
6 becomes effective in July? That's  
7 what you would fee -- begin feeing  
8 the gas stations after July 1st?

9 MR. TERRILL: Yes.

10 MR. BRANECKY: And then the  
11 other permits you don't know. You  
12 don't know (inaudible).

13 MR. TERRILL: Right. That's  
14 right. And that's the reason we may  
15 not be able to make a full  
16 accounting for a whole year when we  
17 come back to you all in six months,  
18 we'll just kind of give you, here's  
19 what we've done in the first six  
20 months.

21 MS. BOTCHLET-SMITH: Are  
22 there any other questions from the  
23 Council? Can we take a brief  
24 recess?

25 MS. LODES: Yes.

Page 79

1 MS. BOTCHLET-SMITH: Okay.  
2 Let's take 10, 15 minutes?

3 MS. LODES: We'll take a 10  
4 minute break.

5 (Break)

6 MR. TERRILL: We're going to  
7 try to incorporate the suggestion  
8 that Laura's made. And making the  
9 assumption that the Council approves  
10 this change and approves our fee  
11 proposal, what we'd like to do is --  
12 because we really need -- it's a  
13 little bit more complicated as you  
14 might imagine than just on the  
15 surface. What we would like to do  
16 -- the whole purpose here is to make  
17 sure that we're fair, like Laura  
18 said, to everybody. So if we make  
19 this change and we pass this fee we  
20 want to do an evaluation in addition  
21 to the money that we collect on how  
22 this is being implemented and are we  
23 spreading this out and getting the  
24 sources that we want to. So we want  
25 to take a look at this language to

Page 80

1 make sure that we're not  
2 inadvertently leaving out folks. So  
3 we want to come back and revisit  
4 that just the implementation part of  
5 it as the overall part, of what we  
6 bring back to you all in six months.  
7 So that's one thing I would say is  
8 if this is the way that you all want  
9 to go to try to clarify this, we  
10 want to see how it works, because  
11 given that we only got this today  
12 and we really need to get this done  
13 today, we really don't have time to  
14 really sit and look at all the  
15 idiosyncrasies of the federal rule  
16 and the other requirements to make  
17 sure that we're not doing something  
18 that we don't intend to do. So we  
19 just want to come back and revisit  
20 it, if this is the way you all elect  
21 to go.

22 ll: Okay.

23 MS. BRADLEY: This is Cheryl  
24 Bradley. And in response to Ms.  
25 Lodes' comment we have drafted some

Page 81

1 alternative language to be added or  
2 to replace the language that is  
3 currently proposed for  
4 252:100-5-2.3(a)(3), regarding other  
5 existing area sources.

6 The language would be replaced  
7 in its entirety with the following.

8 (3), Other existing area  
9 sources -- let me stop here. Can  
10 everyone see? Is the font large  
11 enough? Okay.

12 (3), Other area sources. Area  
13 sources as defined in 40 CFR Section  
14 63.2 that are not subject to the  
15 permitting requirements in OAC  
16 252:100-7 or -- and that is  
17 capitalized, it should be large case  
18 -- or 252:100-8 but are subject to  
19 an emission standard, equipment  
20 standard, or work practice standard  
21 in any federal NESHAP (40 CFR Part  
22 63) shall pay an annual operating fee  
23 of \$250.00.

24 MS. BOTCHLET-SMITH: Okay.  
25 Do we have some other questions or

# Myers Reporting

Sheet 22 Page 82

1 discussion from the Council based on  
2 this new language?

3 MS. LODES: I think this  
4 gets at some of my concerns. I mean  
5 I know that there are still some but  
6 this is going to hit. But this does  
7 eliminate at least some of the ones  
8 that are just recordkeeping that are  
9 area sources.

10 MS. BOTCHLET-SMITH: All  
11 right. Is there any further  
12 questions for Ms. Sullivan, Ms.  
13 Bradley, or Mr. Fielder about the  
14 rules in question?

15 Hearing none, Laura.

16 MS. LODES: If there are no  
17 further comments, then what would the  
18 Council like to do on this rule?

19 MS. MYERS: I do have one  
20 other question. We had some  
21 discussion prior to the break about  
22 other things that you all were going  
23 to look at including some of the  
24 reductions and whatever. How does  
25 that factor in with what we're doing

Page 83

1 now? And this is in part to Bob's  
2 question about what happens if we  
3 don't pass this.

4 MS. BOTCHLET-SMITH: We've  
5 got 12 to 14 positions that we will  
6 not be able to fill. And as Eddie  
7 said, new work coming we'll have to  
8 decide which of that work we will do  
9 with existing staff and what work we  
10 might accept.

11 MS. MYERS: Will this fee  
12 be going into a designated funding  
13 source that's not going to be  
14 dispersed as a slush fund to other  
15 activities?

16 MR. TERRILL: With Air  
17 Quality?

18 MS. MYERS: Yes. It was  
19 just a term. I'm not making any  
20 accusations.

21 MR. TERRILL: Well --

22 MS. BOTCHLET-SMITH: It will  
23 not be mixed with Title V funds.  
24 Title V funds are kept separately.  
25 They have separate funding code.

Page 84

1 Excuse me. Non-Title V funds have  
2 their own funding code.

3 MS. MYERS: So would this  
4 fund be accounted for as a separate  
5 fund so that it -- at the year  
6 increment, you're coming back to tell  
7 us what's been happening, you can  
8 tell us specifically how much has  
9 been collected from this fee and how  
10 it is being used?

11 MS. BOTCHLET-SMITH: But  
12 we'll be -- if I --

13 MR. TERRILL: Go ahead  
14 because I'm thinking about this new  
15 PeopleSoft system that we're in.

16 MS. BOTCHLET-SMITH: Well  
17 I'm thinking about TEAM. And I'm --  
18 because I'm not a PeopleSoft expert  
19 but when -- when we have needed data  
20 in the past we have been able to go  
21 to our TEAM database and determine  
22 how much money has come in by Title  
23 V or non-Title V on permit fees.  
24 And often we will get someone who  
25 thinks they owe more money for

Page 85

1 whatever they're having done than  
2 what really ends up happening. And  
3 we have to do a refund. All that  
4 information is actually entered into  
5 our TEAM database. So regardless of  
6 how sophisticated PeopleSoft is, on  
7 the permit fees we'll be able to  
8 pull that data from TEAM so that we  
9 can determine exactly how much, even  
10 after any money was refunded, came in  
11 both on the Title V and non-Title V  
12 side. So, that, I know for sure.

13 MS. MYERS: So you should  
14 be able to track this fee and have  
15 some kind of cross reference to the  
16 number of facilities in the state  
17 that should be paying it so that the  
18 others can be encouraged to pay. I  
19 mean is there going to be a  
20 cross-referencing on it and a control  
21 on it, is what I'm asking?

22 MR. TERRILL: Yeah. We're  
23 going to try to do that and a lot of  
24 it will depend on our experience and  
25 how successful we are in coming up

# Myers Reporting

Sheet 23 Page 86

1 with these databases and verifying  
2 them. We're going to make every  
3 attempt to make sure that we spread  
4 this out and that the sources that  
5 don't know about it we identify them  
6 and don't just rely on those that  
7 are already in our system to some  
8 extent because we are aware -- we do  
9 have a plan that we've kind of had  
10 on the back burner for our emissions  
11 inventory folks about how we would go  
12 out and verify that. I'm a little  
13 bit hesitant to say on the accounting  
14 part of it because we're going to  
15 this PeopleSoft system exclusively  
16 for our time and effort and it's a  
17 mechanism for payment of staff  
18 salaries and they are really  
19 reluctant about new funding sources,  
20 it creates a problem. But I think,  
21 because this is such a -- is split  
22 out to sources that were -- haven't  
23 feed in the past, it ought to be  
24 fairly easy to pull that together.  
25 The bigger issue is going to be the

Page 87

1 area source -- the area source  
2 standard -- the sources and how we  
3 go about looking at that. And all I  
4 can tell you there is just like I  
5 would tell Laura, we'll have to come  
6 back and see how the language we  
7 adopt today actually -- in practice  
8 what it actually means. The same  
9 thing is -- I can only commit to you  
10 that we will do the best we can and  
11 then we'll have communication with  
12 you all as we're going along as to  
13 how it's going. And if there are  
14 any problems that we're seeing, then  
15 you'll know about that ahead of time.  
16 But we'll do -- we will make every  
17 effort to make sure that you're  
18 comfortable with the accounting that  
19 we do to verify how we're collecting  
20 our money and spending it.  
21 But I can't commit to you that  
22 -- because when I -- when we do our  
23 budget we know the work we've got to  
24 get done. And we're going to be  
25 budgeting folks to do work that's

Page 88

1 going to include looking at the  
2 service stations and looking at it so  
3 I can't guarantee you how that's  
4 going to be broken out other than  
5 the fact that we're going to do  
6 everything that we're supposed to do  
7 under our commitments to the EPA and  
8 as part of our Performance  
9 Partnership Grant and we'll get it  
10 done; the feds won't do it. And  
11 beyond that, I really can't -- we'll  
12 do the best we can to give you the  
13 specificity that you need.  
14 MS. LODS: Do we have any  
15 other questions or comments from the  
16 Council?  
17 Sharon had brought up one point  
18 and I wanted to make sure I'm clear  
19 on this. Are we passing this as a  
20 package, Beverly? Or is this being  
21 passed as each of the three pieces.  
22 MS. BOTCHLET-SMITH: Well, I  
23 believe, we presented it as a  
24 package. And we would recommend that  
25 it be passed as a package. That

Page 89

1 would be depending on your motion.  
2 MR. BRANECKY: I guess I've  
3 got a question. Last Council meeting  
4 we had a proposal before us and we  
5 continued that proposal to this  
6 Council meeting, and that included  
7 the HAPs fees. So those are -- do  
8 we need to do anything on that?  
9 This is what we have before us today  
10 replaces everything that was  
11 considered at the October meeting?  
12 MR. TERRILL: Yeah. I  
13 don't think -- you mean do we need  
14 to affirmatively --  
15 MR. BRANECKY: Project it or  
16 whatever.  
17 MR. TERRILL: I don't think  
18 so. I think we just pass the  
19 proposal -- the package that we have  
20 before you.  
21 MR. BRANECKY: That we have  
22 before us today?  
23 MR. TERRILL: Right.  
24 MR. BRANECKY: Okay.  
25 MR. TERRILL: It substitutes

# Myers Reporting

<p>Sheet 24 Page 90</p> <p>1 the permit fee increases in place of 2 the HAPs.</p> <p>3 MR. BRANECKY: Okay.</p> <p>4 MS. LODES: We've had a 5 number of discussions. The Agency is 6 recommending that we pass this as a 7 package and adopt this. I need a 8 motion from the Council to act on 9 this one way or the other.</p> <p>10 MS. MYERS: I have one more 11 question.</p> <p>12 MS. LODES: Okay, we have 13 one more.</p> <p>14 MS. MYERS: On reaching 15 these various sources, what's the 16 process going to be for that? Do 17 you guys get with the Corporation 18 Commission? Who's going to be 19 responsible for notifying all of 20 these gas stations and fuel handling 21 facilities?</p> <p>22 MR. TERRILL: We're going to 23 work with the petroleum marketers and 24 the Corporation Commission. I think 25 our folks -- Morris, you all already</p>	<p>Page 92</p> <p>1 MS. MYERS: Okay.</p> <p>2 MS. LODES: Any further 3 questions?</p> <p>4 MR. BRANECKY: I'll go ahead 5 and make the motion that we adopt as 6 proposed the revisions to Subchapter 7 5, 7 and 8 as presented to us today 8 by the DEQ staff with the changes as 9 were presented to us today to 10 252:100-5-2.3(b)(3) with the caveat 11 that the DEQ bring back to the 12 Council in October -- at our October 13 meeting a progress report on the 14 income and expenditures of the 15 division and how we're doing on the 16 fees.</p> <p>17 MS. LODES: I have a 18 motion.</p> <p>19 MR. WHITE: Second.</p> <p>20 MS. LODES: I have a motion 21 and a second.</p> <p>22 Myrna, will you please call 23 roll?</p> <p>24 MS. BRUCE: Bob Lynch.</p> <p>25 DR. LYNCH: Yes.</p>
<p>Page 91</p> <p>1 have a list, don't you?</p> <p>2 MR. MOFFETT: We have some 3 lists. We look for different trade 4 associations, the Oklahoma Tax 5 Commission, Corporation Commission. 6 There are places that have these 7 records on an ongoing basis. And we 8 hope to get (inaudible).</p> <p>9 MR. TERRILL: So we'll 10 consolidate those and come up with a 11 master list.</p> <p>12 MS. MYERS: And are the 13 other parts of the agencies aware of 14 this and are they -- he's saying you 15 hope to get the cooperation, are you 16 assured that you're going to have 17 that cooperation?</p> <p>18 MR. TERRILL: They're all 19 subject to the -- they have to give 20 us or any other citizen the records 21 that they have as part of the 22 (inaudible). So I don't -- that's 23 --</p> <p>24 MS. MYERS: You'll get it.</p> <p>25 MR. TERRILL: Yes.</p>	<p>Page 93</p> <p>1 MS. BRUCE: Pete White.</p> <p>2 MR. WHITE: Yes.</p> <p>3 MS. BRUCE: David Gamble.</p> <p>4 MR. GAMBLE: Yes.</p> <p>5 MS. BRUCE: David Branecky.</p> <p>6 MR. BRANECKY: Yes.</p> <p>7 MS. BRUCE: Jim Haught.</p> <p>8 MR. HAUGHT: Yes.</p> <p>9 MS. BRUCE: Sharon Myers.</p> <p>10 MS. MYERS: Yes.</p> <p>11 MS. BRUCE: Gary Collins.</p> <p>12 MR. COLLINS: Yes.</p> <p>13 MS. BRUCE: Montelle Clark.</p> <p>14 MR. CLARK: Yes.</p> <p>15 MS. BRUCE: Laura Lodes.</p> <p>16 MS. LODES: Yes.</p> <p>17 MS. BRUCE: Motion passed.</p> <p>18 MR. TERRILL: I appreciate 19 the confidence of the Council and 20 we'll follow up on that. We will 21 work diligently to try to look for a 22 statewide mechanism that eliminates 23 the need for this.</p> <p>24 Can we go off the record for 25 just a second?</p>



# Keyword Index

<b>\$</b>	<b>1st</b> <sup>[1]</sup> 78:8	<b>47</b> <sup>[1]</sup> 9:13	<b>accounted</b> <sup>[1]</sup> 84:4
<b>\$1,000.00</b> <sup>[3]</sup> 16:6 18:19 19:1	<b>2</b>	<b>5</b>	<b>accounting</b> <sup>[5]</sup> 49:22 50: 13 78:16 86:13 87:18
<b>\$1,100.00</b> <sup>[1]</sup> 36:17	<b>2</b> <sup>[3]</sup> 14:7 15:23 18:1	<b>5</b> <sup>[8]</sup> 12:16 13:3 23:16 26:8, 15 38:16 39:3 92:7	<b>accusations</b> <sup>[1]</sup> 83:20
<b>\$1,200.00</b> <sup>[1]</sup> 31:17	<b>2.3</b> <sup>[1]</sup> 13:2	<b>5,000</b> <sup>[1]</sup> 32:25	<b>accusing</b> <sup>[1]</sup> 44:8
<b>\$1,500.00</b> <sup>[2]</sup> 16:7 18:8	<b>2.95</b> <sup>[2]</sup> 10:7 22:10	<b>500</b> <sup>[6]</sup> 11:3 15:20 16:2 19: 19,22,24	<b>across</b> <sup>[3]</sup> 31:20 47:20 57: 2
<b>\$100.00</b> <sup>[3]</sup> 10:14 16:16,24	<b>20</b> <sup>[1]</sup> 69:19	<b>51</b> <sup>[1]</sup> 6:24	<b>act</b> <sup>[2]</sup> 6:22 90:8
<b>\$150.00</b> <sup>[1]</sup> 16:18	<b>2010</b> <sup>[4]</sup> 4:2 7:13 8:20 20: 12	<b>5-2.3</b> <sup>[1]</sup> 73:11	<b>action</b> <sup>[2]</sup> 35:1 66:10
<b>\$2,000.00</b> <sup>[4]</sup> 16:8 18:6,15 36:19	<b>2011</b> <sup>[3]</sup> 7:3 20:19,21	<b>5a</b> <sup>[1]</sup> 8:2	<b>activities</b> <sup>[2]</sup> 59:24 83:15
<b>\$2,980,000.00</b> <sup>[1]</sup> 22:13	<b>2-2-201</b> <sup>[1]</sup> 7:1	<b>6</b>	<b>actual</b> <sup>[5]</sup> 12:11 13:8,8 31: 17,18
<b>\$200.00</b> <sup>[1]</sup> 16:22	<b>24</b> <sup>[1]</sup> 7:14	<b>63</b> <sup>[5]</sup> 9:19 10:25 13:15 14: 11 81:22	<b>actually</b> <sup>[7]</sup> 23:8 50:13 51: 11 52:23 85:4 87:7,8
<b>\$250.00</b> <sup>[9]</sup> 10:21 13:21 14: 22 16:24 39:3,13 46:1 74:3 81:23	<b>250</b> <sup>[7]</sup> 11:3 15:20 17:25 40: 9,22 67:13 74:3	<b>63.2</b> <sup>[2]</sup> 14:15 81:14	<b>ada</b> <sup>[1]</sup> 60:23
<b>\$3,000.00</b> <sup>[2]</sup> 19:13,22	<b>2-5-101</b> <sup>[1]</sup> 7:2	<b>7</b>	<b>add</b> <sup>[2]</sup> 12:15 51:3
<b>\$3,100,000.00</b> <sup>[1]</sup> 22:18	<b>2-5-118</b> <sup>[1]</sup> 7:2	<b>7</b> <sup>[9]</sup> 7:13 12:19 14:19 15:17 26:8 38:16 40:7 71:24 92:7	<b>added</b> <sup>[3]</sup> 16:5 26:19 81:1
<b>\$300.00</b> <sup>[2]</sup> 19:7,13	<b>252</b> <sup>[1]</sup> 7:7	<b>70</b> <sup>[10]</sup> 8:7 17:18 18:4,7,14, 18,25 19:6,9,23	<b>addition</b> <sup>[2]</sup> 51:4 79:20
<b>\$5,000.00</b> <sup>[3]</sup> 18:9 19:3,8	<b>252:100-5</b> <sup>[1]</sup> 8:3	<b>750</b> <sup>[1]</sup> 11:3	<b>additional</b> <sup>[1]</sup> 56:20
<b>\$50.00</b> <sup>[3]</sup> 10:13,15 12:8	<b>252:100-5-2.3</b> <sup>[1]</sup> 13:10	<b>784,000</b> <sup>[1]</sup> 12:9	<b>address</b> <sup>[4]</sup> 41:1,10 45:10 54:2
<b>\$500.00</b> <sup>[14]</sup> 11:8 14:1,13 16:11,19,20 17:25 19:6,10, 12 36:16 40:9,16,18	<b>252:100-5-2.3(a)(3)</b> <sup>[1]</sup> 81:4	<b>8</b>	<b>addressed</b> <sup>[1]</sup> 25:12
<b>\$6,000.00</b> <sup>[1]</sup> 19:2	<b>252:100-5-2.3(b)(3)</b> <sup>[1]</sup> 92:10	<b>8</b> <sup>[7]</sup> 12:21 17:2,17,22 18:23 26:8 92:7	<b>addresses</b> <sup>[1]</sup> 12:16
<b>\$600,000.00</b> <sup>[1]</sup> 12:7	<b>252:100-7</b> <sup>[2]</sup> 8:5 81:16	<b>86</b> <sup>[2]</sup> 10:3,4	<b>addressing</b> <sup>[2]</sup> 53:4 63: 12
<b>\$7,500.00</b> <sup>[3]</sup> 18:6,15,19	<b>252:100-7-3</b> <sup>[1]</sup> 15:15	<b>9</b>	<b>adequately</b> <sup>[1]</sup> 15:12
<b>\$750.00</b> <sup>[3]</sup> 14:6 16:20,22	<b>252:100-8</b> <sup>[4]</sup> 8:7 14:18,18 81:18	<b>93</b> <sup>[1]</sup> 17:10	<b>adjustment</b> <sup>[1]</sup> 12:24
<b>\$860,000.00</b> <sup>[2]</sup> 26:17,22	<b>252:100-8-1.7</b> <sup>[1]</sup> 17:20	<b>94</b> <sup>[1]</sup> 17:10	<b>adjustments</b> <sup>[1]</sup> 15:8
<b>\$900.00</b> <sup>[2]</sup> 18:11,17	<b>252:4-1-7</b> <sup>[1]</sup> 51:8	<b>95</b> <sup>[1]</sup> 65:17	<b>administrative</b> <sup>[2]</sup> 6:22 52:9
<b>1</b>	<b>27</b> <sup>[1]</sup> 4:2	<b>99.99</b> <sup>[1]</sup> 16:8	<b>adopt</b> <sup>[3]</sup> 87:7 90:7 92:5
<b>1</b> <sup>[3]</sup> 13:12 17:23 68:16	<b>27a</b> <sup>[1]</sup> 6:25	<b>A</b>	<b>advantage</b> <sup>[2]</sup> 37:8,11
<b>1,500</b> <sup>[1]</sup> 36:18	<b>27th</b> <sup>[1]</sup> 8:20	<b>ability</b> <sup>[5]</sup> 32:7 56:9 57:20 76:15 77:22	<b>advertised</b> <sup>[1]</sup> 7:4
<b>1.23</b> <sup>[1]</sup> 10:1	<b>3</b>	<b>able</b> <sup>[16]</sup> 22:7 31:9,11,19 45:4 54:15 55:3 56:4 57:8, 19 72:20 78:15 83:6 84:20 85:7,14	<b>advising</b> <sup>[1]</sup> 53:17
<b>1.7</b> <sup>[1]</sup> 17:22	<b>3</b> <sup>[7]</sup> 14:14 16:14 18:12 69: 11 73:12 81:8,12	<b>absolutely</b> <sup>[1]</sup> 55:14	<b>advisory</b> <sup>[1]</sup> 8:21
<b>10</b> <sup>[2]</sup> 79:2,3	<b>3,000</b> <sup>[3]</sup> 19:19,20 33:1	<b>accept</b> <sup>[4]</sup> 46:8,11 77:8 83: 10	<b>affirmatively</b> <sup>[1]</sup> 89:14
<b>10,000</b> <sup>[2]</sup> 13:20,24	<b>3,000.00</b> <sup>[1]</sup> 19:18	<b>access</b> <sup>[1]</sup> 60:3	<b>age</b> <sup>[1]</sup> 72:17
<b>100</b> <sup>[1]</sup> 7:7	<b>300</b> <sup>[1]</sup> 19:17	<b>account</b> <sup>[1]</sup> 52:2	<b>agencies</b> <sup>[3]</sup> 38:19,20 91: 13
<b>100,000</b> <sup>[2]</sup> 13:25 14:4	<b>35</b> <sup>[1]</sup> 9:9	<b>accountability</b> <sup>[1]</sup> 48:24	<b>agency</b> <sup>[1]</sup> 90:5
<b>12</b> <sup>[1]</sup> 83:5	<b>3m</b> <sup>[1]</sup> 68:15		<b>agenda</b> <sup>[6]</sup> 4:1 5:7 7:8,13 8:2,3
<b>14</b> <sup>[1]</sup> 83:5	<b>4</b>		<b>aging</b> <sup>[1]</sup> 60:7
<b>14th</b> <sup>[1]</sup> 20:18	<b>4</b> <sup>[2]</sup> 51:8 52:24		<b>agree</b> <sup>[2]</sup> 55:15 74:22
<b>15</b> <sup>[1]</sup> 79:2	<b>40</b> <sup>[10]</sup> 6:23 9:18 10:25 13: 15 14:11,15 16:6,7 81:13, 21		<b>ahead</b> <sup>[4]</sup> 75:2 84:13 87:15 92:4
<b>15th</b> <sup>[1]</sup> 20:12	<b>400</b> <sup>[2]</sup> 16:1 36:13		<b>air</b> <sup>[23]</sup> 6:15,20 8:16,20 9:8,
<b>16</b> <sup>[1]</sup> 27:8			
<b>18th</b> <sup>[1]</sup> 20:21			
<b>19</b> <sup>[1]</sup> 7:3			

# Keyword Index

<p>9,14 10:12,18,19 11:1 12:18 13:11 15:13 20:8 24:23 28:9 30:15 42:10 43:17 56:3 64:19 83:16</p> <p><b>alleviate</b> [1] 54:5</p> <p><b>allowed</b> [2] 30:23 32:11</p> <p><b>allows</b> [2] 44:1 61:21</p> <p><b>almost</b> [1] 17:8</p> <p><b>already</b> [3] 75:25 86:7 90:25</p> <p><b>alternative</b> [2] 40:1 81:1</p> <p><b>alternatives</b> [1] 58:9</p> <p><b>although</b> [1] 56:25</p> <p><b>amendments</b> [1] 16:9</p> <p><b>among</b> [2] 47:11 52:6</p> <p><b>amount</b> [2] 28:5 51:20</p> <p><b>angle</b> [3] 38:11,13 41:14</p> <p><b>angle's</b> [5] 45:25 47:25 67:2 69:7 74:18</p> <p><b>annual</b> [24] 8:5 9:3 10:3,17 11:1,7,18 12:16 13:10,16,21 14:1,5,12,21 20:1 23:25 24:2,14 25:10,11 53:12 68:4 81:22</p> <p><b>another</b> [2] 55:5 76:7</p> <p><b>answer</b> [1] 70:12</p> <p><b>anticipated</b> [1] 13:1</p> <p><b>anybody</b> [3] 42:24 44:8 64:16</p> <p><b>anyway</b> [3] 62:5 67:14 76:10</p> <p><b>apart</b> [1] 23:9</p> <p><b>apiece</b> [2] 32:25 33:1</p> <p><b>apologize</b> [1] 29:2</p> <p><b>appealing</b> [1] 55:25</p> <p><b>appeared</b> [1] 25:3</p> <p><b>applicability</b> [5] 15:19 17:23 40:8,13,24</p> <p><b>applicable</b> [1] 25:13</p> <p><b>application</b> [14] 11:22 12:6,20,22 15:15,16,22 16:15 17:4,19,21 18:13 20:3 35:5</p> <p><b>applications</b> [4] 11:16 18:2 22:16 33:17</p> <p><b>applied</b> [1] 64:1</p> <p><b>apply</b> [2] 51:18,24</p> <p><b>appreciate</b> [3] 26:2 41:13</p>	<p>93:18</p> <p><b>approach</b> [5] 25:14 41:1,9 67:8,24</p> <p><b>appropriate</b> [1] 7:22</p> <p><b>appropriated</b> [1] 15:10</p> <p><b>appropriations</b> [4] 9:1 10:1 21:23 56:23</p> <p><b>approval</b> [2] 4:1 42:19</p> <p><b>approve</b> [1] 4:6</p> <p><b>approves</b> [2] 79:9,10</p> <p><b>approximately</b> [1] 58:13</p> <p><b>area</b> [48] 9:7,8,11,17,20 10:17 11:23 12:17 13:11,14 14:8,14 15:4 20:3,7 26:23 39:4,5,24 46:2,25 47:22 48:21 49:15 60:18 63:13,15 68:2,2,5,18,21 70:19 71:17 72:6,12 73:12,13,22 77:4,12 81:5,8,12,12 82:9 87:1,1</p> <p><b>areas</b> [4] 30:15 39:9 65:10 71:7</p> <p><b>aren't</b> [3] 14:19 31:9,19</p> <p><b>argue</b> [1] 75:23</p> <p><b>argument</b> [3] 70:16 75:21 76:12</p> <p><b>around</b> [4] 17:12 33:25 36:4 67:10</p> <p><b>arrived</b> [1] 5:21</p> <p><b>asks</b> [1] 21:1</p> <p><b>assess</b> [3] 39:3 46:6 77:18</p> <p><b>assessed</b> [3] 16:12 68:3 76:1</p> <p><b>assessment</b> [2] 40:2 76:19</p> <p><b>asset</b> [1] 55:6</p> <p><b>assistant</b> [1] 6:15</p> <p><b>associated</b> [2] 9:12 35:18</p> <p><b>association</b> [2] 20:18 65:11</p> <p><b>associations</b> [2] 48:10 91:4</p> <p><b>assume</b> [1] 39:17</p> <p><b>assuming</b> [3] 24:2 28:2,14</p> <p><b>assumption</b> [4] 32:10,13 66:18 79:9</p> <p><b>assured</b> [2] 64:6 91:16</p>	<p><b>attempt</b> [1] 86:3</p> <p><b>audience</b> [2] 7:22 30:17</p> <p><b>august</b> [1] 66:23</p> <p><b>authority</b> [2] 6:25 63:6</p> <p><b>authorization</b> [4] 15:25 16:18 18:10,16</p> <p><b>authorize</b> [2] 51:16 57:2</p> <p><b>automatically</b> [2] 33:9 34:7</p> <p><b>automobile</b> [1] 74:4</p> <p><b>avenues</b> [1] 37:8</p> <p><b>average</b> [7] 13:17 24:1,3,15,16 25:10,11</p> <p><b>aware</b> [8] 48:11 53:7,21 65:6 66:1,14 86:8 91:13</p> <p><b>away</b> [2] 36:1 59:14</p> <p><b>awhile</b> [1] 62:12</p> <hr/> <p style="text-align: center;"><b>B</b></p> <hr/> <p><b>back</b> [19] 32:21 36:10 41:23 44:16 46:10 49:2,21 50:12,18 55:11 76:21 78:17 80:3,6,19 84:6 86:10 87:6 92:11</p> <p><b>balance</b> [2] 49:20 52:1</p> <p><b>based</b> [9] 13:17 22:5 23:25 27:23,25 54:22 56:17 72:17 82:1</p> <p><b>basic</b> [1] 13:9</p> <p><b>basically</b> [1] 40:15</p> <p><b>basis</b> [3] 25:14 58:2 91:7</p> <p><b>bbbbbb</b> [3] 9:19 11:7 14:12</p> <p><b>became</b> [1] 46:17</p> <p><b>becomes</b> [1] 78:6</p> <p><b>begin</b> [2] 73:22 78:7</p> <p><b>behind</b> [2] 25:20 61:3</p> <p><b>believe</b> [9] 25:10 27:8 35:6,16,22 57:17 61:18 65:23 88:23</p> <p><b>believing</b> [1] 65:8</p> <p><b>below</b> [1] 70:6</p> <p><b>benefit</b> [5] 22:22 32:2 46:24 48:4,5</p> <p><b>benefits</b> [6] 9:2 10:2 26:18 31:8,10 56:24</p> <p><b>benzene</b> [2] 68:17 69:12</p>	<p><b>besides</b> [2] 45:18 46:3</p> <p><b>best</b> [6] 37:18 43:10 68:6 76:18 87:10 88:12</p> <p><b>better</b> [2] 23:12 45:4</p> <p><b>beverly</b> [2] 6:14 88:20</p> <p><b>beverly's</b> [1] 26:23</p> <p><b>beyond</b> [2] 51:21 88:11</p> <p><b>bifurcated</b> [1] 63:5</p> <p><b>big</b> [3] 47:16 65:24 73:24</p> <p><b>bigger</b> [3] 49:13 77:7 86:25</p> <p><b>bill</b> [1] 67:19</p> <p><b>bit</b> [3] 8:11 79:13 86:13</p> <p><b>blunt</b> [1] 61:17</p> <p><b>board</b> [6] 21:3 31:21 47:20 66:20 78:5,5</p> <p><b>bob</b> [4] 3:5 4:14 5:18 92:24</p> <p><b>bob's</b> [1] 83:1</p> <p><b>border</b> [1] 67:13</p> <p><b>botchlet-smith</b> [25] 6:13,14 21:4 26:1,12,25 28:22 29:8,11,23 30:5 38:1 41:19 50:22 51:2 58:4 78:21 79:1 81:24 82:10 83:4,22 84:11,16 88:22</p> <p><b>both</b> [4] 63:1 70:16 75:22 85:11</p> <p><b>bottom</b> [3] 22:1,2 76:16</p> <p><b>bow</b> [1] 60:24</p> <p><b>bradley</b> [6] 24:21,22 25:7 80:23,24 82:13</p> <p><b>branecky</b> [21] 3:11,12 4:18,19 5:13,24,25 41:25 45:14 51:1 56:12 78:1,10 89:2,15,21,24 90:3 92:4 93:5,6</p> <p><b>break</b> [6] 25:19,25 75:3 79:4,5 82:21</p> <p><b>breakout</b> [1] 11:23</p> <p><b>brief</b> [1] 78:23</p> <p><b>bring</b> [5] 32:20 49:13 57:14 80:6 92:11</p> <p><b>broken</b> [3] 23:9 60:23 88:4</p> <p><b>brought</b> [2] 40:10 88:17</p> <p><b>bruce</b> [38] 3:5,7,11,13,15,17,19,21,23 4:14,16,18,20,22,24 5:1,3,5,18,20,22,24 6:1,3,5,7,9,11 92:24 93:1,3,5,</p>
--	---	---	--

# Keyword Index

7,9,11,13,15,17 <b>btus</b> [1] 68:15 <b>budget</b> [4] 50:7 51:22 58:14 87:23 <b>budgetary</b> [3] 9:24 10:6 22:10 <b>budgeting</b> [1] 87:25 <b>build</b> [1] 64:17 <b>built-in</b> [2] 27:15 28:5 <b>bulk</b> [4] 11:6 14:9,9 67:20 <b>bunch</b> [1] 74:1 <b>burckhalter</b> [4] 38:11,13,14 41:17 <b>b-u-r-c-k-h-a-l-t-e-r</b> [1] 41:18 <b>burden</b> [2] 43:11,18 <b>burner</b> [1] 86:10 <b>business</b> [5] 43:11 50:6 55:3 66:12 76:25 <b>businesses</b> [8] 38:23,24 40:5,18 41:2,7,11 67:9 <b>buying</b> [2] 57:24 58:2	<b>caveat</b> [1] 92:10 <b>cccccc</b> [2] 10:25 13:16 <b>ccccccc</b> [1] 9:19 <b>censara</b> [1] 58:21 <b>central</b> [1] 59:25 <b>certain</b> [10] 27:10,21 28:1,2,5,13 30:14 31:1,3 32:6 <b>certainly</b> [1] 54:17 <b>certainty</b> [2] 48:7,16 <b>cfr</b> [7] 9:18 10:25 13:15 14:11,15 81:13,21 <b>chair</b> [2] 5:12 8:12 <b>change</b> [5] 32:23 37:14 74:11 79:10,19 <b>changed</b> [3] 12:5 19:4 37:15 <b>changes</b> [7] 8:22 20:11,23 33:11 34:10 42:4 92:8 <b>chapter</b> [3] 7:7 51:8 52:24 <b>charge</b> [1] 46:1 <b>check</b> [1] 35:20 <b>cheryl</b> [3] 13:5 24:21 80:23 <b>chunk</b> [1] 33:2 <b>citizen</b> [1] 91:20 <b>citizens</b> [1] 61:19 <b>city</b> [10] 53:16 60:6,12,20,22 61:10,15 62:1,23 63:2 <b>city/county</b> [1] 63:7 <b>clarification</b> [1] 22:20 <b>clarified</b> [1] 24:20 <b>clarify</b> [4] 15:1 24:7 71:16 80:9 <b>clark</b> [8] 3:19,20 5:1,2 6:7,8 93:13,14 <b>clause</b> [1] 51:5 <b>clear</b> [3] 24:15,16 88:18 <b>clearly</b> [1] 71:8 <b>close</b> [2] 45:19 60:7 <b>closely</b> [1] 9:12 <b>code</b> [3] 6:23 83:25 84:2 <b>coincidence</b> [2] 10:5 53:11 <b>collect</b> [2] 51:17 79:21 <b>collected</b> [3] 49:23 50:14 84:9 <b>collecting</b> [1] 87:19 <b>collins</b> [22] 3:17,18 4:10,	24,25 6:5,6 23:15,19,23 24:8,13 25:6,16 28:19,24 29:9,17,24 32:16 93:11,12 <b>combine</b> [1] 58:21 <b>come</b> [15] 7:23 12:12 45:12 49:21 50:12 55:11 60:6 61:10 62:19 78:17 80:3,19 84:22 87:5 91:10 <b>comes</b> [1] 77:9 <b>comfortable</b> [1] 87:18 <b>coming</b> [8] 49:2 57:20 60:19 62:1,23 83:7 84:6 85:25 <b>comment</b> [4] 38:5 41:21 63:22 80:25 <b>comments</b> [19] 7:6,24 20:13,16,19,22 21:9 38:15 39:25 40:17 41:12 42:2 44:20,21 54:23 63:23 74:18 82:17 88:15 <b>commission</b> [7] 42:19 64:10 65:16 90:18,24 91:5,5 <b>commit</b> [2] 87:9,21 <b>commitments</b> [1] 88:7 <b>communicate</b> [1] 48:9 <b>communication</b> [1] 87:11 <b>community</b> [2] 60:16 76:25 <b>companies</b> [1] 73:25 <b>compared</b> [1] 17:6 <b>compelling</b> [1] 76:2 <b>compete</b> [1] 30:21 <b>complaints</b> [1] 61:20 <b>complete</b> [1] 7:19 <b>completely</b> [1] 69:1 <b>completion</b> [1] 11:10 <b>compliance</b> [10] 6:21 46:18 47:2,14,20,21 61:14 72:21 73:9 76:20 <b>complicated</b> [1] 79:13 <b>compliments</b> [1] 55:2 <b>comply</b> [3] 34:6 48:12,13 <b>component</b> [3] 10:23 20:4,5 <b>components</b> [1] 11:24 <b>computers</b> [2] 57:25 58:1 <b>concerned</b> [1] 25:22	<b>concerns</b> [5] 33:4 38:23 39:11 59:20 82:4 <b>concluded</b> [1] 94:2 <b>conditions</b> [1] 51:24 <b>confer</b> [1] 74:14 <b>conferencing</b> [1] 58:20 <b>confidence</b> [1] 93:19 <b>confident</b> [1] 65:13 <b>congratulations</b> [1] 6:12 <b>consequence</b> [1] 76:6 <b>consider</b> [3] 37:18 40:2,25 <b>considered</b> [4] 68:17 69:13 70:9 89:11 <b>consistent</b> [1] 28:11 <b>consolidate</b> [3] 61:5 64:10 91:10 <b>consolidating</b> [1] 59:23 <b>construct</b> [2] 36:9,14 <b>constructed</b> [2] 70:23 72:7 <b>construction</b> [8] 15:21 16:4 18:1,5 36:5,12 41:3 64:20 <b>contained</b> [1] 11:5 <b>content</b> [1] 13:9 <b>continue</b> [1] 75:13 <b>continued</b> [3] 11:12 27:3 89:5 <b>contribution</b> [1] 27:9 <b>control</b> [9] 10:19 20:8 26:4 42:21 43:1 56:14 57:8,23 85:20 <b>convened</b> [1] 6:19 <b>cooperation</b> [2] 91:15,17 <b>copies</b> [1] 20:22 <b>core</b> [3] 76:19,22 77:18 <b>corporation</b> [4] 65:16 90:17,24 91:5 <b>correct</b> [2] 19:20 65:22 <b>correctly</b> [1] 50:11 <b>cost</b> [13] 9:2 10:2 21:24 23:2,4 26:18 27:3 28:20,23 29:15 30:1,22 31:16 <b>costs</b> [13] 22:23 32:2 42:13,22 43:1,2 44:2 52:9 53:22 56:14 57:7,23 62:6
<b>C</b>			
<b>calculated</b> [1] 25:2 <b>calculations</b> [1] 25:5 <b>calendar</b> [1] 24:14 <b>call</b> [10] 3:2,4 4:12 5:16 9:24 30:13 38:11 45:5 50:18 92:22 <b>called</b> [2] 7:21 9:17 <b>came</b> [2] 70:24 85:10 <b>capacity</b> [2] 39:20 70:6 <b>capitalized</b> [1] 81:17 <b>capitol</b> [2] 53:25 55:5 <b>car</b> [1] 54:7 <b>career</b> [1] 27:18 <b>carried</b> [2] 51:14 52:2 <b>carryover</b> [1] 49:20 <b>cars</b> [1] 43:17 <b>case</b> [5] 11:12 12:24 35:23 55:21 81:17 <b>cases</b> [1] 66:2 <b>catalyst</b> [1] 34:6 <b>catch</b> [2] 22:7 33:18 <b>catching</b> [2] 71:22 73:20 <b>caught</b> [1] 22:8			

# Keyword Index

<p><b>cough</b> [1] 69:17  <b>couldn't</b> [1] 55:15  <b>council</b> [35] 6:20 8:13,21            12:23 18:22 20:24 21:9 26:            6 38:3 41:23 43:21 44:4,12,            19,22,25 45:3,19 49:1,3,5,6            50:8 55:12 67:4 78:23 79:9            82:1,18 88:16 89:3,6 90:8            92:12 93:19  <b>couple</b> [3] 21:13 38:10 54:            10  <b>course</b> [1] 12:9  <b>court</b> [1] 25:22  <b>cover</b> [2] 42:13 65:17  <b>covers</b> [1] 14:14  <b>crack</b> [1] 45:21  <b>creates</b> [1] 86:20  <b>credit</b> [3] 51:19 52:5,7  <b>credited</b> [2] 51:23,25  <b>credits</b> [1] 51:10  <b>criteria</b> [1] 10:10  <b>cross</b> [1] 85:15  <b>cross-referencing</b> [1]            85:20  <b>cubic</b> [1] 68:16  <b>current</b> [3] 5:10 27:16 34:            9  <b>currently</b> [1] 81:3  <b>cut</b> [4] 25:7 58:25 59:6,7  <b>cuts</b> [2] 58:16 61:20</p>	<p>49:3  <b>decide</b> [1] 83:8  <b>decides</b> [1] 39:16  <b>decision</b> [1] 46:9  <b>decrease</b> [1] 21:23  <b>decreasing</b> [1] 59:21  <b>defined</b> [3] 14:15 24:24 81:            13  <b>deflect</b> [1] 21:11  <b>dehydration</b> [2] 69:5,10  <b>department</b> [3] 8:17 44:2,            3  <b>depend</b> [1] 85:24  <b>depending</b> [2] 11:2 89:1  <b>deq</b> [17] 7:16 39:3,13,20 40:            7,12,21 42:12,23 44:6,20            51:17 54:14 55:16 64:11            92:8,11  <b>deq's</b> [1] 38:17  <b>dera</b> [1] 59:10  <b>designated</b> [1] 83:12  <b>details</b> [1] 25:12  <b>determination</b> [2] 17:24            40:9  <b>determinations</b> [1] 15:19  <b>determine</b> [4] 27:12 53:1            84:21 85:9  <b>deviated</b> [1] 25:5  <b>difference</b> [3] 36:11,17 67:            8  <b>different</b> [5] 37:8 38:19 44:            18 54:9 91:3  <b>difficult</b> [2] 30:9 64:9  <b>diligently</b> [1] 93:21  <b>direct</b> [2] 21:11,11  <b>director</b> [2] 6:15 51:16  <b>discussion</b> [3] 4:4 82:1,            21  <b>discussions</b> [1] 90:5  <b>dispensing</b> [7] 10:24 13:            14 23:20 46:3 53:19 64:2            78:3  <b>dispersed</b> [1] 83:14  <b>distributed</b> [1] 52:6  <b>distribution</b> [1] 14:9  <b>divide</b> [2] 47:11 61:22  <b>division</b> [7] 6:16 8:17 9:4</p>	<p>15:6 24:24 52:10 92:15  <b>divisions</b> [1] 51:16  <b>document</b> [1] 46:21  <b>doing</b> [15] 42:21 44:9,10            45:12 50:7 56:13 58:6 67:7,            20,23 74:5 77:3 80:17 82:            25 92:15  <b>dollar</b> [1] 75:10  <b>dollars</b> [5] 10:7 11:3 15:20            16:2 22:11  <b>done</b> [15] 11:17 33:14 42:            25 44:13 47:2 56:2,10 58:            19 59:15 62:11 78:19 80:            12 85:1 87:24 88:10  <b>door</b> [1] 30:14  <b>down</b> [7] 9:1,4 10:1,4 22:7            60:11 61:20  <b>downturn</b> [1] 39:1  <b>drafted</b> [1] 80:25  <b>draw</b> [1] 76:21  <b>dropped</b> [1] 32:25  <b>due</b> [1] 69:16  <b>duly</b> [1] 7:14  <b>during</b> [2] 39:1 45:7</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>each</b> [3] 7:9 47:12 88:21  <b>easier</b> [1] 60:13  <b>easy</b> [1] 86:24  <b>ecls</b> [1] 62:8  <b>economic</b> [1] 39:1  <b>eddie</b> [3] 51:3 58:18 83:6  <b>edited</b> [2] 14:23 15:1  <b>education-type</b> [1] 47:24  <b>effect</b> [1] 17:16  <b>effective</b> [1] 78:6  <b>efficiencies</b> [1] 63:20  <b>efficiency</b> [1] 61:5  <b>effort</b> [2] 86:16 87:17  <b>efo</b> [1] 59:17  <b>either</b> [9] 40:1 49:4,24 50:            17 54:6 55:12 57:12 59:8,            21  <b>elect</b> [1] 80:20  <b>election</b> [1] 5:7  <b>eligible</b> [3] 27:22 28:14 31:            2</p>	<p><b>eliminate</b> [1] 82:7  <b>eliminates</b> [3] 63:10,11            93:22  <b>eliminating</b> [1] 59:23  <b>email</b> [2] 44:21 45:2  <b>emission</b> [5] 11:20 71:19            72:2 73:14 81:19  <b>emissions</b> [4] 8:4 16:5,11            86:10  <b>emit</b> [2] 9:9,13  <b>emitted</b> [2] 9:10,14  <b>employee</b> [4] 22:21 26:18            29:18 32:10  <b>employees</b> [6] 22:22 29:7            30:8 32:14 39:11 56:20  <b>encouraged</b> [1] 85:18  <b>encouraging</b> [1] 38:6  <b>end</b> [4] 40:19 55:8 73:24            74:2  <b>ends</b> [2] 40:13 85:2  <b>enforceable</b> [1] 34:18  <b>enforced</b> [1] 64:5  <b>enforcement</b> [4] 46:20            61:14 66:9 76:21  <b>enforcement-type</b> [1]            66:13  <b>enough</b> [5] 50:19 52:8 54:            4,4 81:11  <b>ensure</b> [1] 64:12  <b>entered</b> [2] 7:9 85:4  <b>entertaining</b> [1] 26:5  <b>entirety</b> [1] 81:7  <b>environmental</b> [6] 8:15,            18 20:20 21:3 46:24 48:4  <b>epa</b> [5] 34:22 57:15 58:20,            23 88:7  <b>equation</b> [1] 61:12  <b>equipment</b> [1] 81:19  <b>equitable</b> [1] 43:15  <b>especially</b> [2] 45:19 66:7  <b>estimate</b> [4] 10:7 12:2,10            27:20  <b>estimated</b> [3] 49:10,14 50:            15  <b>estimates</b> [1] 22:17  <b>evaluating</b> [1] 62:16  <b>evaluation</b> [1] 79:20</p>
--	---	---	--

# Keyword Index

<p><b>even</b> [11] 17:13 28:14 39:15 57:13 64:3 67:17 68:19, 20 70:9 72:17 85:9</p> <p><b>event</b> [2] 47:6 48:18</p> <p><b>everybody</b> [4] 61:6 64:6, 12 79:18</p> <p><b>everyone</b> [1] 81:10</p> <p><b>everything</b> [3] 25:23 88:6 89:10</p> <p><b>everywhere</b> [1] 31:15</p> <p><b>exactly</b> [2] 51:11 85:9</p> <p><b>example</b> [6] 31:7 33:7,7 52:12 68:6 69:6</p> <p><b>exceed</b> [1] 51:21</p> <p><b>exclusively</b> [1] 86:15</p> <p><b>excuse</b> [4] 19:11 51:8,9 84:1</p> <p><b>executive</b> [1] 51:15</p> <p><b>existing</b> [7] 32:12 34:3 70:20 73:12 81:5,8 83:9</p> <p><b>expect</b> [2] 27:18 34:25</p> <p><b>expected</b> [1] 15:10</p> <p><b>expenditures</b> [2] 43:25 92:14</p> <p><b>expenses</b> [3] 22:21 29:19 31:13</p> <p><b>experience</b> [1] 85:24</p> <p><b>expert</b> [1] 84:18</p> <p><b>expressed</b> [2] 33:4 75:16</p> <p><b>extension</b> [1] 16:12</p> <p><b>extent</b> [1] 86:8</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>fabrication</b> [2] 70:21 74:5</p> <p><b>facilities</b> [17] 8:6 10:24 14:10 15:18 17:1 23:21 33:8 34:5 36:7 40:23 46:4 48:2 53:20 64:2 78:3 85:16 90:21</p> <p><b>facility</b> [2] 7:15 13:14</p> <p><b>facing</b> [1] 31:8</p> <p><b>fact</b> [1] 88:5</p> <p><b>factor</b> [2] 27:10 82:25</p> <p><b>failed</b> [1] 17:3</p> <p><b>fair</b> [8] 42:9,10 43:7 50:19 61:19 63:21,22 79:17</p> <p><b>fairly</b> [1] 86:24</p>	<p><b>fairness</b> [1] 37:5</p> <p><b>faith</b> [1] 50:9</p> <p><b>fall</b> [2] 47:4 73:19</p> <p><b>far</b> [4] 42:3 61:25 62:7 73:8</p> <p><b>federal</b> [7] 6:23 9:16 24:6 57:11 72:23 80:15 81:21</p> <p><b>federally</b> [1] 34:17</p> <p><b>federation</b> [1] 20:20</p> <p><b>feds</b> [3] 77:9,13 88:10</p> <p><b>fee</b> [65] 8:19,25 10:12,17,21 11:1,7,12 12:8,24 13:17,21 14:1,5,13,22 15:7 16:3,12, 25 17:25 20:1 21:1 22:2,11, 16 23:19,25 32:23 35:13,14, 17 36:6 37:15 39:13,23 40:3,22 43:3,15,24 44:5,16 48:20 51:10 52:2,7 54:1,20 55:11,19 64:1 67:8 74:3,7 75:25 76:13 78:7 79:10,19 81:22 83:11 84:9 85:14 90:1</p> <p><b>feed</b> [2] 76:6 86:23</p> <p><b>feeling</b> [3] 43:8,9 78:7</p> <p><b>feel</b> [1] 44:11</p> <p><b>fees</b> [40] 8:5 9:3 10:4,10 11:15,19,20,22 12:6,17,20,22 13:10 15:15,16,16,22 16:15 17:4,6,12,19,21 20:1,3 36:12 40:16 41:4 42:18 44:13, 14 49:11 51:11,18 64:4 68:4 84:23 85:7 89:7 92:16</p> <p><b>feet</b> [1] 68:16</p> <p><b>few</b> [4] 8:9 27:7 39:10 65:9</p> <p><b>field</b> [1] 59:3</p> <p><b>fielder</b> [9] 33:15,23 34:13 35:15,20 36:22,24 37:23 82:13</p> <p><b>figure</b> [3] 47:1,5,13</p> <p><b>file</b> [3] 33:10 34:8 36:9</p> <p><b>filed</b> [1] 7:11</p> <p><b>filing</b> [1] 7:11</p> <p><b>fill</b> [4] 38:8 57:19,21 83:6</p> <p><b>filling</b> [1] 64:17</p> <p><b>finally</b> [1] 44:17</p> <p><b>finance</b> [3] 27:1 28:7 67:17</p> <p><b>find</b> [2] 66:7 73:21</p> <p><b>finish</b> [1] 23:14</p>	<p><b>first</b> [5] 3:3 11:14 17:8 49:6 78:19</p> <p><b>fit</b> [2] 44:3 52:20</p> <p><b>five</b> [1] 27:17</p> <p><b>fix</b> [1] 55:23</p> <p><b>fixed</b> [1] 57:6</p> <p><b>flip</b> [1] 72:11</p> <p><b>focus</b> [2] 39:4 41:6</p> <p><b>focused</b> [1] 40:17</p> <p><b>fold</b> [1] 66:24</p> <p><b>folder</b> [1] 15:3</p> <p><b>folders</b> [1] 20:24</p> <p><b>folk</b> [1] 74:14</p> <p><b>folks</b> [26] 30:16 31:24 32:3 53:24,24 54:21 55:19 56:8 59:11 60:10 61:15,22,24 62:9,13,21 65:9,12,14 66:22 74:24 75:16 80:2 86:11 87:25 90:25</p> <p><b>follow</b> [5] 15:5 36:8 52:25 67:1 93:20</p> <p><b>followed</b> [1] 9:19</p> <p><b>following</b> [2] 18:3 81:7</p> <p><b>follow-up</b> [1] 64:15</p> <p><b>font</b> [1] 81:10</p> <p><b>foot</b> [1] 74:13</p> <p><b>form</b> [1] 7:19</p> <p><b>forward</b> [2] 55:10 75:19</p> <p><b>found</b> [2] 7:20 58:9</p> <p><b>four</b> [1] 56:25</p> <p><b>frequent</b> [1] 58:1</p> <p><b>friday</b> [1] 20:18</p> <p><b>ftes</b> [1] 57:17</p> <p><b>fuel</b> [1] 90:20</p> <p><b>full</b> [1] 78:15</p> <p><b>fund</b> [9] 15:12 75:9,18 76:7, 12,24 83:14 84:4,5</p> <p><b>fundamental</b> [1] 67:6</p> <p><b>funded</b> [1] 59:12</p> <p><b>funding</b> [7] 38:18 42:13 51:21 83:12,25 84:2 86:19</p> <p><b>funds</b> [4] 15:11 83:23,24 84:1</p> <p><b>furniture</b> [1] 58:3</p> <p><b>further</b> [5] 60:22 61:8 82:11,17 92:2</p> <p><b>future</b> [1] 51:19</p>	<p style="text-align: center;"><b>G</b></p> <hr/> <p><b>gallons</b> [4] 13:20,24,25 14:4</p> <p><b>gamble</b> [8] 3:9,10 4:16,17 5:22,23 93:3,4</p> <p><b>gap</b> [1] 26:22</p> <p><b>gary</b> [6] 3:17 4:24 6:5 26:12,13 93:11</p> <p><b>gas</b> [4] 9:11 73:25 78:8 90:20</p> <p><b>gases</b> [2] 57:14 77:11</p> <p><b>gasoline</b> [15] 10:24 11:5 13:13,18 14:8 23:20 24:1, 18 39:5 43:9,14 46:3 53:19 64:1 78:2</p> <p><b>gather</b> [1] 49:15</p> <p><b>gave</b> [1] 21:6</p> <p><b>general</b> [8] 15:11,25 16:17 18:10,16 36:8,15 56:23</p> <p><b>generated</b> [1] 56:19</p> <p><b>gentlemen</b> [1] 8:14</p> <p><b>gets</b> [6] 32:10 44:20 58:15 66:18,19 82:4</p> <p><b>getting</b> [9] 31:25 33:24 42:14 44:14 56:21 61:13 66:4 76:7 79:23</p> <p><b>give</b> [11] 21:15 41:23 44:5 49:21,25 50:4,15 60:16 78:18 88:12 91:19</p> <p><b>given</b> [2] 57:17 80:11</p> <p><b>gives</b> [2] 48:15 52:11</p> <p><b>giving</b> [1] 49:7</p> <p><b>glad</b> [1] 32:24</p> <p><b>glycol</b> [2] 69:5,9</p> <p><b>goal</b> [1] 32:3</p> <p><b>goals</b> [1] 62:17</p> <p><b>got</b> [40] 21:12,20 26:4 29:14 33:22 35:21 45:11,17,18 46:2,12 47:16 55:1,6,18,24 56:16 57:7,11 59:2,4,6 62:8 63:4,5,15 65:22 67:12,18 70:5,5 73:25 75:7 76:17,23 77:25 80:11 83:5 87:23 89:3</p> <p><b>government</b> [3] 30:9 31:14 54:21</p>
---	---	--	---

# Keyword Index

<p><b>gp</b> [1] 37:12  <b>gradual</b> [1] 27:6  <b>grant</b> [1] 88:9  <b>greenhouse</b> [2] 57:14 77:11  <b>ground</b> [1] 54:12  <b>group</b> [1] 24:23  <b>guarantee</b> [1] 88:3  <b>guarantees</b> [1] 48:16  <b>guess</b> [9] 28:25 29:19 30:7 41:25 42:23 49:11,13 70:18 89:2  <b>guesses</b> [1] 49:11  <b>guidance</b> [1] 46:20  <b>guys</b> [10] 44:10 50:1,4,9,15 56:13 64:16 74:10 75:4 90:17</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>hammering</b> [2] 25:20,24  <b>handling</b> [1] 90:20  <b>handy</b> [1] 23:17  <b>happen</b> [1] 52:5  <b>happening</b> [2] 84:7 85:2  <b>happens</b> [2] 55:8 83:2  <b>haps</b> [5] 11:14 12:8 22:12 89:7 90:2  <b>hard</b> [5] 27:12,20 65:7 75:7,8  <b>haught</b> [15] 3:13,14 4:20,21 6:1,2 21:12,15,19,21 22:14,19 23:1 93:7,8  <b>hazardous</b> [3] 9:9,14 10:12  <b>head</b> [3] 68:7 69:7,23  <b>heard</b> [1] 54:23  <b>hearing</b> [3] 8:2 41:22 82:15  <b>hearings</b> [3] 6:18,19 7:4  <b>help</b> [4] 53:22 55:4 76:14 77:4  <b>helpful</b> [1] 45:1  <b>helping</b> [1] 75:17  <b>her's</b> [1] 69:8  <b>hesitant</b> [1] 86:13  <b>hh</b> [6] 68:8,24 69:2,3,14 74:1</p>	<p><b>high</b> [2] 17:14 51:14  <b>hire</b> [1] 32:15  <b>history</b> [1] 61:3  <b>hit</b> [3] 49:9 51:14 82:6  <b>honest</b> [1] 67:22  <b>honestly</b> [1] 70:11  <b>hooked</b> [1] 65:25  <b>hope</b> [4] 32:14 56:7 91:8,15  <b>hopefully</b> [2] 53:23 75:13  <b>hours</b> [1] 7:14  <b>huge</b> [1] 33:12  <b>hundreds</b> [1] 39:19</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>idea</b> [4] 47:14 49:1,2 55:24  <b>ideas</b> [1] 56:6  <b>identical</b> [1] 25:8  <b>identify</b> [2] 52:19 86:5  <b>idiosyncrasies</b> [1] 80:15  <b>imagine</b> [1] 79:14  <b>impacts</b> [2] 38:24 41:10  <b>implement</b> [10] 12:14 46:9,13,17,22 47:1,9,19 48:6 73:8  <b>implementation</b> [2] 46:12 80:4  <b>implemented</b> [1] 79:22  <b>important</b> [1] 7:18  <b>impossible</b> [1] 55:16  <b>inadvertently</b> [1] 80:2  <b>inaudible</b> [7] 42:18 63:7 69:16 75:10 78:12 91:8,22  <b>incentive</b> [2] 75:24 76:3  <b>include</b> [3] 35:2 40:4 88:1  <b>included</b> [9] 12:23 23:4 27:3,4 28:17,20 30:6 31:4 89:6  <b>including</b> [2] 27:14 82:23  <b>income</b> [2] 43:24 92:14  <b>incorporate</b> [3] 33:11 34:10 79:7  <b>incorporated</b> [1] 34:12  <b>increase</b> [26] 12:19,21 15:11 16:10,22,23 17:25 18:15,18 19:14 22:22 27:5,6 32:2 40:8 42:12 43:4,14,15 44:6</p>	<p>50:11 54:5 55:11 56:17 61:5 76:14  <b>increased</b> [4] 11:21 20:2 21:24 26:17  <b>increases</b> [8] 17:13 18:3 19:1,6 27:3 31:25 41:5 90:1  <b>increasing</b> [2] 9:22 76:11  <b>increment</b> [1] 84:6  <b>independent</b> [1] 20:17  <b>indicated</b> [1] 22:21  <b>individual</b> [7] 16:3,9,19,21 36:5,9,15  <b>industrial</b> [3] 53:24 54:20 55:19  <b>industry</b> [5] 30:20,22 37:5 75:15 76:3  <b>inflation</b> [1] 32:1  <b>influence</b> [1] 76:10  <b>influx</b> [1] 33:12  <b>information</b> [2] 64:9 85:4  <b>initial</b> [2] 16:4 18:14  <b>input</b> [1] 50:5  <b>inspect</b> [1] 39:16  <b>inspections</b> [3] 48:1 59:7 77:19  <b>insurance</b> [5] 27:4,11,11 29:15 31:20  <b>intend</b> [1] 80:18  <b>intent</b> [2] 16:1 37:12  <b>interest</b> [1] 75:16  <b>interested</b> [2] 20:14 50:6  <b>interesting</b> [2] 54:10 74:15  <b>internal</b> [1] 37:4  <b>internet</b> [1] 18:24  <b>interrupt</b> [1] 50:23  <b>introduce</b> [1] 21:5  <b>introduced</b> [1] 20:5  <b>inventory</b> [3] 8:4 65:13 86:11  <b>investigate</b> [1] 39:21  <b>invoice</b> [2] 10:14 15:6  <b>invoices</b> [1] 51:19  <b>issue</b> [5] 47:17 54:3 62:20 75:22 86:25  <b>issues</b> [4] 31:22 38:18 40:</p>	<p>10 63:13  <b>item</b> [5] 3:3,25 5:6 8:2 94:2</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>ja</b> [1] 34:2  <b>january</b> [3] 7:3 20:18,21  <b>jim</b> [8] 3:13 4:20 5:12 6:1 23:7 26:11,16 93:7  <b>job</b> [1] 59:4  <b>judgment</b> [1] 45:5  <b>july</b> [3] 66:23 78:6,8  <b>june</b> [1] 59:14  <b>justify</b> [1] 52:8</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>kb</b> [1] 70:4  <b>keep</b> [4] 5:10 50:17 63:17 69:16  <b>keeping</b> [2] 31:9,12  <b>keeps</b> [1] 9:5  <b>kept</b> [1] 83:24  <b>kick</b> [3] 33:6 34:1,4  <b>kind</b> [25] 27:12,19 30:6 32:19,20 33:21 37:3 40:3,25 41:9 45:16 48:19 49:7 62:21 64:15 65:4 67:1,5,7,12,13 70:4 78:18 85:15 86:9</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>ladies</b> [1] 8:13  <b>laid</b> [1] 54:13  <b>land</b> [2] 52:14 62:12  <b>language</b> [7] 15:3 79:25 81:1,2,6 82:2 87:6  <b>large</b> [5] 52:8 63:14,14 81:10,17  <b>last</b> [19] 9:6 13:6 22:8,11 23:8,23 26:10 27:7 38:15 41:15 44:17 45:11 49:5 53:13 54:24 58:6 59:9 65:3 89:3  <b>laura</b> [8] 3:21 5:3,11 6:9 79:17 82:15 87:5 93:15  <b>laura's</b> [1] 79:8  <b>law</b> [1] 32:12  <b>lawton</b> [1] 60:24  <b>lays</b> [2] 51:11 52:24  <b>lead</b> [1] 10:15</p>
---	---	---	--

# Keyword Index

<p><b>lean</b> <sup>[1]</sup> 58:15  <b>leap</b> <sup>[1]</sup> 50:9  <b>least</b> <sup>[8]</sup> 31:21 40:25 48:14 50:4,11 56:6 78:2 82:7  <b>leave</b> <sup>[1]</sup> 40:22  <b>leaving</b> <sup>[1]</sup> 80:2  <b>left</b> <sup>[4]</sup> 10:9 26:5 30:19 34:24  <b>legal</b> <sup>[2]</sup> 74:14,23  <b>legislation</b> <sup>[1]</sup> 56:1  <b>legislative</b> <sup>[5]</sup> 9:1,25 54:19 56:1,11  <b>legislators</b> <sup>[1]</sup> 54:24  <b>legislature</b> <sup>[6]</sup> 56:22 66:19,21 75:23 76:5,16  <b>length</b> <sup>[1]</sup> 17:15  <b>less</b> <sup>[9]</sup> 13:20,24 16:6 35:3 49:17 57:24 58:1 68:14 69:11  <b>letter</b> <sup>[1]</sup> 59:17  <b>letters</b> <sup>[1]</sup> 9:20  <b>level</b> <sup>[5]</sup> 28:1,13 32:6 39:21 73:6  <b>levels</b> <sup>[1]</sup> 69:21  <b>leverage</b> <sup>[2]</sup> 55:4 76:14  <b>lies</b> <sup>[2]</sup> 63:6,8  <b>likely</b> <sup>[1]</sup> 47:23  <b>limit</b> <sup>[3]</sup> 71:19 72:2 73:14  <b>limited</b> <sup>[1]</sup> 52:14  <b>line</b> <sup>[4]</sup> 11:15 12:4 23:23 76:16  <b>list</b> <sup>[3]</sup> 65:21 91:1,11  <b>listed</b> <sup>[3]</sup> 7:8 9:18 15:22  <b>listen</b> <sup>[1]</sup> 55:18  <b>lists</b> <sup>[1]</sup> 91:3  <b>little</b> <sup>[6]</sup> 17:11 43:21 58:25 77:2 79:13 86:12  <b>live</b> <sup>[1]</sup> 60:18  <b>ll</b> <sup>[1]</sup> 80:22  <b>lobbyists</b> <sup>[1]</sup> 56:8  <b>local</b> <sup>[2]</sup> 62:10,25  <b>lodes</b> <sup>[53]</sup> 3:2,21,22,25 4:8,11 5:3,4,6,15 6:9,10 19:11,16 25:18 32:18 33:20,24 35:9,19,24 37:20,24 64:14,24 66:25 67:25 68:25 69:4 70:2,18 71:4,13 72:5,11 73:</p>	<p>3,10,17 74:16,25 75:5 78:25 79:3 82:3,16 88:14 90:4,12 92:2,17,20 93:15,16  <b>lodes'</b> <sup>[1]</sup> 80:25  <b>longer</b> <sup>[1]</sup> 52:10  <b>longevity</b> <sup>[1]</sup> 27:10  <b>long-range</b> <sup>[1]</sup> 52:18  <b>look</b> <sup>[24]</sup> 11:13 23:7 30:16 32:9 35:6 39:17 45:3 46:24 51:7 52:23 53:25 55:6 60:10 62:16 63:19 67:6,13,23 75:17 79:25 80:14 82:23 91:3 93:21  <b>looked</b> <sup>[4]</sup> 11:10 27:16 28:9 42:24  <b>looking</b> <sup>[16]</sup> 24:11 53:3 54:8 55:22 57:6,13 58:13,17 61:4 63:25 65:14 67:16 72:6 87:3 88:1,2  <b>lose</b> <sup>[3]</sup> 40:18 75:14 76:8  <b>losing</b> <sup>[1]</sup> 32:1  <b>lot</b> <sup>[14]</sup> 33:3 46:13 49:16,17,18 54:8,9 55:1 60:13 62:10,24 63:16 67:10 85:23  <b>lots</b> <sup>[2]</sup> 9:20 33:25  <b>low</b> <sup>[1]</sup> 17:6  <b>lower</b> <sup>[3]</sup> 30:11 40:6 67:15  <b>lucky</b> <sup>[1]</sup> 54:3  <b>lucrative</b> <sup>[1]</sup> 15:9  <b>lynch</b> <sup>[9]</sup> 3:5,6 4:14,15 5:18,19 75:7 92:24,25</p>	<p><b>mandatory</b> <sup>[1]</sup> 35:7  <b>many</b> <sup>[3]</sup> 38:20 39:7 47:8  <b>mark</b> <sup>[1]</sup> 49:9  <b>marked</b> <sup>[1]</sup> 8:1  <b>marketers</b> <sup>[6]</sup> 53:10 54:22 56:7 65:7 75:15 90:23  <b>master</b> <sup>[1]</sup> 91:11  <b>match</b> <sup>[1]</sup> 52:12  <b>matter</b> <sup>[1]</sup> 34:11  <b>mcalester</b> <sup>[1]</sup> 53:13  <b>mean</b> <sup>[11]</sup> 29:20 35:12 55:17 56:18 57:23 58:12 70:3 71:16 82:4 85:19 89:13  <b>means</b> <sup>[4]</sup> 33:12 48:10 54:8 87:8  <b>measures</b> <sup>[1]</sup> 12:25  <b>mechanism</b> <sup>[6]</sup> 53:4 55:7 75:18 76:7 86:17 93:22  <b>mechanisms</b> <sup>[1]</sup> 54:1  <b>meet</b> <sup>[3]</sup> 27:21 58:22 71:1  <b>meeting</b> <sup>[21]</sup> 3:2 4:3 7:11,15 8:21 9:6 11:12 44:23,25 45:3,7,7,20 49:5 53:9 54:24 58:22 89:3,6,11 92:13  <b>meetings</b> <sup>[2]</sup> 53:12,17  <b>meets</b> <sup>[1]</sup> 31:3  <b>member</b> <sup>[1]</sup> 44:12  <b>members</b> <sup>[6]</sup> 7:22 8:13 39:7 40:11 49:1 53:18  <b>mentioned</b> <sup>[3]</sup> 17:3 34:2 53:3  <b>mercury</b> <sup>[1]</sup> 10:14  <b>met</b> <sup>[1]</sup> 28:3  <b>metal</b> <sup>[2]</sup> 70:21 74:5  <b>method</b> <sup>[1]</sup> 52:25  <b>metropolitan</b> <sup>[1]</sup> 63:15  <b>might</b> <sup>[8]</sup> 11:13 21:9 52:20 55:5 57:8,14 79:14 83:10  <b>milestones</b> <sup>[2]</sup> 27:21 28:3  <b>million</b> <sup>[7]</sup> 10:1,3,4,7 22:10 68:15 75:10  <b>minimis</b> <sup>[11]</sup> 68:5,9,20 69:1,13,20 70:3,9 71:15,20 74:1  <b>minor</b> <sup>[17]</sup> 8:6 12:19 14:19 15:17 17:1,9 19:5,13,16 32:24 33:10,13,16,16 34:8 36:</p>	<p>3 66:8  <b>minus</b> <sup>[1]</sup> 49:24  <b>minute</b> <sup>[2]</sup> 11:23 79:4  <b>minutes</b> <sup>[5]</sup> 4:2,5,6 38:10 79:2  <b>miss</b> <sup>[1]</sup> 45:22  <b>mis-stated</b> <sup>[1]</sup> 19:21  <b>mixed</b> <sup>[1]</sup> 83:23  <b>mmscf</b> <sup>[1]</sup> 69:11  <b>mobile</b> <sup>[6]</sup> 9:12 10:22 11:24 20:4 43:8 54:2  <b>mod</b> <sup>[2]</sup> 19:14,16  <b>modification</b> <sup>[7]</sup> 16:21 17:8,9 18:7,25 19:5 34:8  <b>modifications</b> <sup>[1]</sup> 33:13  <b>modify</b> <sup>[3]</sup> 12:18,20 55:13  <b>mods</b> <sup>[2]</sup> 32:25 33:10  <b>moffett</b> <sup>[1]</sup> 91:2  <b>moment</b> <sup>[1]</sup> 3:8  <b>money</b> <sup>[18]</sup> 12:25 44:15,16 47:18 51:6,13,13,18,25 54:4 57:4 59:9,13 79:21 84:22,25 85:10 87:20  <b>monitoring</b> <sup>[1]</sup> 59:5  <b>monitors</b> <sup>[1]</sup> 77:19  <b>montelle</b> <sup>[4]</sup> 3:19 5:1 6:7 93:13  <b>month</b> <sup>[2]</sup> 31:17,18  <b>monthly</b> <sup>[5]</sup> 11:2 13:18 14:3 24:1,10  <b>months</b> <sup>[5]</sup> 46:10 51:21 78:17,20 80:6  <b>morning</b> <sup>[4]</sup> 6:14 8:14 20:25 59:19  <b>morris</b> <sup>[1]</sup> 90:25  <b>most</b> <sup>[1]</sup> 65:24  <b>motion</b> <sup>[12]</sup> 4:5,9,11 5:5,15 6:11 89:1 90:8 92:5,18,20 93:17  <b>move</b> <sup>[8]</sup> 4:7 5:10 8:10 15:14 17:2 55:9 60:11 75:19  <b>moving</b> <sup>[1]</sup> 61:14  <b>m's</b> <sup>[1]</sup> 69:11  <b>much</b> <sup>[11]</sup> 44:15 50:4 51:13 57:9 58:19 66:14 67:14 75:20 84:8,22 85:9  <b>must</b> <sup>[5]</sup> 52:1,6,7,10 54:25</p>
<hr/> <h2>M</h2> <hr/>			
<p><b>mact</b> <sup>[8]</sup> 9:21 10:20 25:1,4,13 46:7,11 77:4  <b>macts</b> <sup>[4]</sup> 9:17 46:25 47:22 77:12  <b>madam</b> <sup>[1]</sup> 8:12  <b>made</b> <sup>[8]</sup> 10:9 11:25 15:2 42:5 46:9 58:16 63:18 79:8  <b>mainly</b> <sup>[1]</sup> 52:20  <b>maintaining</b> <sup>[2]</sup> 62:7 70:7  <b>major</b> <sup>[3]</sup> 12:21 14:20 17:19  <b>manage</b> <sup>[1]</sup> 50:10  <b>management</b> <sup>[1]</sup> 30:25  <b>managers</b> <sup>[1]</sup> 60:13</p>			

# Keyword Index

<p><b>myers</b> [27] 3:15,16 4:7,22, 23 5:9 6:3,4 26:11 59:16 60:21 61:2 63:24 68:24 69:3 82:19 83:11,18 84:3 85:13 90:10,14 91:12,23 92:1 93:9,10</p> <p><b>myrna</b> [3] 3:3 5:16 92:22</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>name</b> [2] 7:24 41:16</p> <p><b>national</b> [1] 46:19</p> <p><b>necessarily</b> [2] 37:14 42:1</p> <p><b>need</b> [26] 8:10 33:14 40:15 42:12 43:17 44:14,15,23 48:11 49:19,19 51:6 52:11,18 54:5 55:13 58:10 63:11 66:16 79:12 80:12 88:13 89:8,13 90:7 93:23</p> <p><b>needed</b> [1] 84:19</p> <p><b>needing</b> [1] 40:20</p> <p><b>needs</b> [2] 24:19 53:5</p> <p><b>neglected</b> [1] 21:5</p> <p><b>neshap</b> [8] 14:21 69:14,25 70:23 71:25 72:23,23 81:21</p> <p><b>neshaps</b> [4] 33:6 46:7 68:10 69:1</p> <p><b>never</b> [4] 57:3 72:8,14 74:6</p> <p><b>new</b> [28] 10:12,16 11:15 12:15 13:2 15:2,8 18:4 20:2,3,4 22:6 29:5,10,12 30:3 31:14 32:10 33:4,5 34:1,6 64:17 77:8 82:2 83:7 84:14 86:19</p> <p><b>next</b> [10] 3:25 5:6 13:7 19:4 27:17 34:11 38:9 49:4,7 53:15</p> <p><b>night</b> [5] 53:13,14,15 54:25 65:3</p> <p><b>noi</b> [4] 36:8,13 37:9,11</p> <p><b>noise</b> [1] 26:3</p> <p><b>none</b> [2] 41:22 82:15</p> <p><b>non-personnel</b> [1] 58:15</p> <p><b>non-title</b> [3] 84:1,23 85:11</p> <p><b>normally</b> [1] 77:6</p> <p><b>northeastern</b> [1] 62:2</p>	<p><b>note</b> [2] 31:6 64:15</p> <p><b>nothing</b> [6] 42:2 56:18 68:13 70:2,7 72:18</p> <p><b>notice</b> [6] 7:3,11 16:1 20:10,13 38:4</p> <p><b>noticed</b> [1] 29:1</p> <p><b>noticing</b> [1] 29:2</p> <p><b>notifying</b> [1] 90:19</p> <p><b>notion</b> [1] 53:3</p> <p><b>nsp</b> [1] 68:9</p> <p><b>nsps</b> [2] 70:4 72:1</p> <p><b>nsps's</b> [1] 33:6</p> <p><b>number</b> [8] 8:2 12:11 38:19,22 57:17 63:1 85:16 90:5</p> <p><b>numbers</b> [8] 9:23 11:9 21:16 24:5 26:17 27:1 28:15,17</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>oac</b> [9] 7:7 8:3,5,7 13:9 14:17 15:15 17:20 81:15</p> <p><b>obligated</b> [1] 64:4</p> <p><b>obligation</b> [12] 29:25 34:14,15,19,21 35:6,16 44:4,7,11 71:5 76:24</p> <p><b>obligations</b> [1] 68:12</p> <p><b>observations</b> [1] 42:5</p> <p><b>obviously</b> [4] 28:11 37:17 53:5 62:15</p> <p><b>october</b> [11] 4:2 8:20,25 10:9 12:1 20:6 22:4 27:2 89:11 92:12,12</p> <p><b>office</b> [13] 30:24 46:18 59:22,25 60:2 61:24 62:7,8,9,14,22 63:9,17</p> <p><b>officer</b> [1] 6:17</p> <p><b>officers</b> [2] 5:8,11</p> <p><b>offices</b> [4] 46:21 47:4,5,9</p> <p><b>often</b> [2] 9:18 84:24</p> <p><b>oil</b> [1] 73:25</p> <p><b>oipa</b> [2] 38:12,14</p> <p><b>okay</b> [31] 17:17 19:24 21:14,18 22:9,14,19 24:4 25:6,16 26:13 29:17 32:16 35:9,19 37:20,23 38:3 44:8 67:25 71:13 74:25 75:5 79:1</p>	<p>80:22 81:11,24 89:24 90:3,12 92:1</p> <p><b>oklahoma</b> [22] 6:21 7:1,5,10 9:10 20:11,17,20 42:8 53:16 59:24 60:6,12,19,22 61:10,15 62:1,23 63:2 64:20 91:4</p> <p><b>old</b> [1] 58:1</p> <p><b>once</b> [2] 12:4 30:25</p> <p><b>one</b> [42] 14:20 17:11 19:4 22:6,6,8 32:21 33:7 35:25 38:4,8 40:10 42:20 44:17 45:11 47:12 49:1,6 53:13,14 55:24 56:13 58:21,23 59:19 60:9 64:11 66:5 67:3 68:17 69:12,21 70:1,22 73:20 75:8 80:7 82:19 88:17 90:9,10,13</p> <p><b>onerous</b> [1] 48:14</p> <p><b>ones</b> [11] 36:3 39:6 48:17 65:24 69:20 71:11,15,22 73:18 74:2 82:7</p> <p><b>one-time</b> [2] 40:2 50:2</p> <p><b>ongoing</b> [1] 91:7</p> <p><b>only</b> [11] 12:4 22:6 30:23 31:3,24 51:20 53:20 63:14 70:1 80:11 87:9</p> <p><b>open</b> [2] 17:9 33:9</p> <p><b>operate</b> [4] 36:10,16 61:22 76:17</p> <p><b>operating</b> [28] 8:5 9:3 10:3,17 11:1,7,19 12:17 13:10,17,21 14:1,5,13,22 16:14 18:12 20:1 23:25 37:12 41:4 43:2 62:6 65:19 68:4 71:6 72:9 81:22</p> <p><b>operators</b> [3] 39:10 41:11 67:10</p> <p><b>opm</b> [1] 30:24</p> <p><b>opportunity</b> [1] 60:17</p> <p><b>opposed</b> [3] 55:10 60:18 62:22</p> <p><b>options</b> [7] 50:1,16 52:17 54:9,10,14 60:9</p> <p><b>oral</b> [1] 38:5</p> <p><b>order</b> [3] 3:3 32:8 55:21</p> <p><b>originally</b> [1] 37:10</p>	<p><b>originated</b> [1] 37:6</p> <p><b>other</b> [54] 20:14 37:21 38:2 39:5,6,24 41:24 45:17 46:2,5 48:10,21 53:23 55:19 56:8,12 57:15 58:9 61:9,11 62:18 63:24 64:8 65:8 67:1 68:1,13 69:15,20,25 71:2,14 72:11 73:1,12 75:2,6,15 76:1 78:11,22 80:16 81:4,8,12,25 82:20,22 83:14 88:4,15 90:9 91:13,20</p> <p><b>others</b> [2] 65:17 85:18</p> <p><b>ought</b> [1] 86:23</p> <p><b>ourselves</b> [1] 74:13</p> <p><b>out</b> [41] 12:12 29:1 31:12,18 32:13 38:9 40:15 42:17 47:1,5,13 49:18,25 51:11 52:17,25 58:1 59:3,6,21,24 61:24 62:1,10,13,23 63:20 65:19 66:15 67:19,19 70:24 73:19,21 74:4 79:23 80:2 86:4,12,22 88:4</p> <p><b>outreach</b> [2] 47:23 65:20</p> <p><b>outreach-type</b> [1] 77:1</p> <p><b>over</b> [14] 8:10 12:7 17:5 27:7,17 33:19 35:21 51:14 52:2 53:24 55:4 59:9 76:4,9</p> <p><b>overage</b> [1] 50:14</p> <p><b>overall</b> [3] 37:3 62:17 80:5</p> <p><b>overcome</b> [1] 67:21</p> <p><b>oversight</b> [1] 43:22</p> <p><b>owe</b> [1] 84:25</p> <p><b>oweeka</b> [1] 46:19</p> <p><b>own</b> [3] 31:7 57:5 84:2</p> <p><b>ownership</b> [1] 16:13</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>package</b> [5] 88:20,24,25 89:19 90:7</p> <p><b>packages</b> [1] 58:7</p> <p><b>packet</b> [2] 18:22 19:3</p> <p><b>packets</b> [1] 14:24</p> <p><b>page</b> [1] 61:7</p> <p><b>paid</b> [1] 31:21</p> <p><b>paperwork</b> [1] 67:18</p> <p><b>paragraph</b> [9] 13:12 14:7,14 15:22 16:14 17:23 18:1,</p>
--	--	--	--

# Keyword Index

<p>12 23:24  <b>pardon</b> [1] 50:22  <b>part</b> [36] 6:24 8:7 9:18,21            13:5,15 14:11 17:18 18:4,7,            14,18,25 19:5,9,23 28:16            29:22 31:23 59:4 60:5 61:9,            11 62:2 63:6,8 65:20,24 76:            1 80:4,5 81:21 83:1 86:14            88:8 91:21  <b>participating</b> [2] 64:7,13  <b>particular</b> [1] 42:3  <b>parties</b> [1] 20:15  <b>partnership</b> [1] 88:9  <b>parts</b> [1] 91:13  <b>pass</b> [6] 44:15 78:4 79:19            83:3 89:18 90:6  <b>passed</b> [7] 5:5 6:11 49:22            75:25 88:21,25 93:17  <b>passes</b> [1] 78:5  <b>passing</b> [1] 88:19  <b>past</b> [4] 53:6 58:8 84:20 86:            23  <b>pat</b> [4] 8:15 21:5 23:15 38:            14  <b>patience</b> [1] 26:3  <b>pay</b> [27] 10:25 11:7 13:16,            20,25 14:5,12,21 23:25 31:            10,11,20 35:13 36:11,13,14,            17 42:9 43:6 56:24 57:1 64:            4 68:19 74:7 77:14 81:22            85:18  <b>payer</b> [1] 44:16  <b>payers</b> [3] 52:7 54:20 55:            19  <b>paying</b> [2] 74:3 85:17  <b>payment</b> [3] 15:2,5 86:17  <b>pending</b> [1] 53:21  <b>people</b> [5] 27:18 28:1 33:3            43:16 64:3  <b>peoplesoft</b> [4] 84:15,18            85:6 86:15  <b>per</b> [13] 10:13,14,15,22 11:            4,8,16,19 13:21 14:1,6 68:            16 69:12  <b>percent</b> [6] 9:9,13 27:8,25            58:14 65:17  <b>performance</b> [4] 27:24,</p>	<p>24 31:3 88:8  <b>period</b> [1] 31:1  <b>permit</b> [47] 11:16,22 12:5,            19,22 15:14,16,21,23,25 16:            4,15,15,17,21 17:4,19,20            18:2,5,11,13,14,17,18,25            19:6 20:2 22:16 34:9,15 35:            1 36:5 40:15,20 41:4 49:11            64:19,19 66:9,10,11 71:6            72:9 84:23 85:7 90:1  <b>permits</b> [12] 8:6,7 12:11            16:10,19,23 33:10 66:3,4,            16 77:20 78:11  <b>permitted</b> [2] 37:7 39:14  <b>permitting</b> [11] 10:20 14:            17 36:25 37:22 60:4,8 68:            12 72:3,15 76:20 81:15  <b>personal</b> [1] 31:7  <b>personally</b> [1] 31:16  <b>personnel</b> [2] 30:24 57:10  <b>pertaining</b> [1] 7:6  <b>pete</b> [3] 3:7 5:20 93:1  <b>petroleum</b> [7] 20:17 53:9            54:22 56:7 65:6 75:14 90:            23  <b>phil</b> [1] 32:20  <b>phillip</b> [1] 36:24  <b>pick</b> [1] 36:2  <b>picking</b> [1] 25:23  <b>pieces</b> [1] 88:21  <b>pipeline</b> [1] 14:10  <b>place</b> [1] 90:1  <b>places</b> [1] 91:6  <b>plain</b> [1] 77:16  <b>plan</b> [7] 10:23 12:15 47:2,            21 48:13 78:2 86:9  <b>planning</b> [1] 24:23  <b>plants</b> [1] 14:10  <b>play</b> [1] 62:19  <b>please</b> [7] 3:4 7:23,24 26:1            38:8 41:16 92:22  <b>plus</b> [3] 48:2 49:24,25  <b>pocket</b> [2] 31:12,19  <b>podium</b> [1] 7:23  <b>point</b> [4] 46:4 57:10 74:15            88:17  <b>points</b> [3] 25:8 51:15 63:</p>	<p>19  <b>policy</b> [6] 34:22 36:7,21,23            37:4,13  <b>political</b> [1] 62:20  <b>pollutant</b> [2] 10:10,12  <b>pollutants</b> [2] 9:10,14  <b>pollute</b> [1] 43:17  <b>pollution</b> [6] 9:8 10:18,19            12:18 13:11 20:8  <b>portion</b> [1] 11:14  <b>positions</b> [4] 27:16 57:21            60:11 83:5  <b>possible</b> [5] 43:13 44:20            48:15 54:18 65:22  <b>possibly</b> [1] 32:4  <b>posted</b> [5] 7:14 14:25 18:            23 19:2,8  <b>potentially</b> [1] 52:5  <b>pound</b> [2] 10:14,15  <b>practice</b> [6] 71:1,18 72:1            73:15 81:20 87:7  <b>prefer</b> [1] 43:12  <b>pre-meeting</b> [1] 67:4  <b>prepare</b> [1] 27:1  <b>present</b> [2] 3:20 8:22  <b>presentation</b> [8] 8:9 11:            11,25 21:7 23:8 26:7,21 27:            2  <b>presented</b> [4] 8:19 88:23            92:7,9  <b>president</b> [1] 5:11  <b>pretty</b> [4] 28:10 33:2 58:15            65:13  <b>previous</b> [3] 22:3 26:21            52:3  <b>primarily</b> [3] 47:3 53:20            60:4  <b>prime</b> [2] 33:7 69:6  <b>prior</b> [4] 7:14,25 64:19 82:            21  <b>private</b> [3] 30:11,19,21  <b>pro</b> [1] 52:6  <b>probably</b> [6] 36:23 47:10            49:3 65:8 66:17 70:13  <b>problem</b> [8] 31:7 43:8 45:            11 46:18 48:19,25 56:3 86:            20</p>	<p><b>problems</b> [2] 38:25 87:14  <b>procedures</b> [1] 6:22  <b>proceed</b> [1] 8:1  <b>proceedings</b> [1] 3:1  <b>process</b> [5] 29:22 37:11            50:7 53:8 90:16  <b>producing</b> [1] 28:15  <b>productivity</b> [1] 27:23  <b>program</b> [15] 8:15 15:13            29:12 42:11 46:13 47:24            48:6 51:23 59:10 63:7,9 64:            11 66:13 72:21 73:9  <b>programs</b> [8] 29:5,5 51:            17 62:25 64:8 76:20,22 77:            18  <b>progress</b> [1] 92:13  <b>progressions</b> [1] 27:19  <b>project</b> [2] 52:13 89:15  <b>projected</b> [2] 51:20 52:1  <b>projections</b> [1] 32:9  <b>projects</b> [1] 59:15  <b>promoted</b> [2] 32:4,11  <b>promotion</b> [2] 27:22 31:2  <b>promotions</b> [1] 28:5  <b>properly</b> [1] 44:13  <b>proposal</b> [17] 8:19,25 10:8,            9,11 11:4,15,18 18:21 20:1            21:2 22:3,11 79:11 89:4,5,            19  <b>proposals</b> [1] 53:18  <b>propose</b> [2] 16:17 56:5  <b>proposed</b> [12] 7:7 10:11,            13,16,21,23 12:8 16:25 20:            10 29:6 81:3 92:6  <b>proposes</b> [6] 15:18 17:24            18:2,13 39:3 40:7  <b>proposing</b> [2] 11:21 57:            16  <b>protection</b> [2] 52:14 62:            13  <b>protocol</b> [1] 6:17  <b>provide</b> [1] 60:3  <b>provides</b> [1] 15:7  <b>provision</b> [3] 11:5 12:24            13:1  <b>provisions</b> [2] 15:9 52:24  <b>public</b> [3] 20:14 38:5 41:20</p>
---	--	---	---

# Keyword Index

<p><b>published</b> [1] 20:11  <b>pull</b> [2] 85:8 86:24  <b>pulled</b> [1] 24:5  <b>purchasing</b> [1] 58:12  <b>purpose</b> [5] 7:5 60:2 72:20 77:3 79:16  <b>push</b> [1] 55:21  <b>put</b> [6] 9:23 28:7 32:18 46:20 48:12 72:21  <b>putting</b> [2] 33:21 34:5</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>quadrants</b> [1] 61:23  <b>quality</b> [13] 6:16,20 8:16,18,20 11:1 21:3 24:23 28:9,10 30:15 42:11 83:17  <b>question</b> [19] 21:13 23:16 33:3 35:25 36:4 37:2,3 42:1,23 46:1 63:25 67:5 68:1 71:14 82:14,20 83:2 89:3 90:11  <b>questions</b> [20] 4:4 21:8,13 23:14 26:6 33:25 36:20 37:22 38:2 41:24 42:20 67:1,2 75:2,6 78:22 81:25 82:12 88:15 92:3  <b>quick</b> [1] 25:19  <b>quickly</b> [3] 8:24 32:4,11  <b>quite</b> [1] 39:12  <b>quorum</b> [1] 3:24  <b>quoted</b> [1] 23:2</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>raise</b> [1] 42:17  <b>raised</b> [1] 49:2  <b>raises</b> [2] 56:24 57:1  <b>range</b> [2] 16:6 52:11  <b>rata</b> [1] 52:6  <b>rate</b> [1] 40:6  <b>rather</b> [1] 45:5  <b>reach</b> [1] 27:8  <b>reaching</b> [1] 90:14  <b>reading</b> [1] 45:6  <b>ready</b> [1] 75:4  <b>real</b> [1] 55:24  <b>realities</b> [1] 9:25  <b>really</b> [23] 26:22 37:16 39:12,19,20 42:2 54:11,25 61:</p>	<p>13 63:14 64:18 67:12 71:10,10 73:5 74:16 79:12 80:12,13,14 85:2 86:18 88:11  <b>reason</b> [3] 37:9 74:20 78:14  <b>reasons</b> [1] 8:25  <b>reassess</b> [1] 77:23  <b>recall</b> [1] 26:9  <b>received</b> [5] 14:24 20:16 38:4 64:25 65:2  <b>receiving</b> [2] 7:6 15:5  <b>recess</b> [1] 78:24  <b>recognize</b> [2] 38:17 42:11  <b>recollection</b> [1] 34:20  <b>recommend</b> [2] 40:21 88:24  <b>recommended</b> [1] 21:2  <b>recommending</b> [1] 90:6  <b>record</b> [7] 5:21 7:9 41:15 42:7 68:14 70:8 93:24  <b>recordkeeping</b> [5] 68:11 72:14 73:1,19 82:8  <b>records</b> [4] 65:15 69:17 91:7,20  <b>recurring</b> [1] 51:18  <b>reduce</b> [2] 43:1 44:2  <b>reduced</b> [1] 40:6  <b>reductions</b> [1] 82:24  <b>reference</b> [1] 85:15  <b>referring</b> [2] 33:16 52:16  <b>refocus</b> [1] 59:11  <b>refund</b> [3] 50:17 51:12 85:3  <b>refunded</b> [1] 85:10  <b>regarding</b> [4] 15:21 26:7 40:11 81:4  <b>regardless</b> [1] 85:5  <b>regards</b> [1] 39:2  <b>regional</b> [4] 46:21 47:3,5,9  <b>regions</b> [1] 47:12  <b>register</b> [3] 7:5,10 20:12  <b>registration</b> [4] 7:20 8:4 15:24 16:16  <b>regular</b> [1] 4:3  <b>regulated</b> [2] 42:16 60:15  <b>regulation</b> [1] 34:21  <b>regulations</b> [5] 6:24 9:16</p>	<p>34:17 35:2 64:21  <b>regulatory</b> [1] 51:10  <b>reiterate</b> [1] 37:1  <b>related</b> [1] 37:4  <b>relating</b> [1] 9:16  <b>relations</b> [1] 54:21  <b>relative</b> [8] 48:21 49:15 53:19 56:22 57:7 62:6 73:7 76:11  <b>relocation</b> [3] 16:23 19:10,23  <b>reluctant</b> [1] 86:19  <b>rely</b> [2] 35:4 86:6  <b>remain</b> [3] 12:1 16:11 19:10  <b>remained</b> [1] 19:24  <b>remains</b> [2] 15:24 18:11  <b>remember</b> [1] 45:24  <b>remind</b> [1] 45:23  <b>remiss</b> [1] 43:20  <b>removed</b> [1] 39:24  <b>renewal</b> [3] 18:17 34:11 35:4  <b>renewing</b> [1] 58:5  <b>reopen</b> [3] 34:15 35:1,10  <b>replace</b> [1] 81:2  <b>replaced</b> [1] 81:6  <b>replaces</b> [1] 89:10  <b>replacing</b> [1] 11:13  <b>report</b> [1] 92:13  <b>reporter</b> [3] 25:22 41:14 94:1  <b>represent</b> [1] 38:22  <b>representative</b> [1] 42:15  <b>request</b> [2] 39:23 40:12  <b>requested</b> [2] 12:23 20:13  <b>requesting</b> [1] 43:3  <b>require</b> [1] 55:25  <b>required</b> [1] 72:25  <b>requirement</b> [4] 35:8 70:1 72:15,24  <b>requirements</b> [7] 14:17 29:13 57:12 69:15 72:3 80:16 81:15  <b>requires</b> [2] 28:12 71:24  <b>resend</b> [1] 55:12  <b>resource</b> [1] 47:16</p>	<p><b>resources</b> [2] 46:16 48:1  <b>respect</b> [1] 43:23  <b>respond</b> [1] 61:19  <b>responding</b> [1] 45:22  <b>response</b> [2] 37:18 80:24  <b>responsibility</b> [1] 32:7  <b>responsible</b> [1] 90:19  <b>retain</b> [1] 29:6  <b>retaining</b> [2] 30:8 31:23  <b>retention</b> [10] 9:2 10:2 23:3,5 26:18 28:21,23 29:16 30:1,22  <b>retire</b> [1] 60:11  <b>retirement</b> [4] 27:5,6 29:14 60:8  <b>revenue</b> [1] 15:11  <b>revenues</b> [1] 57:5  <b>review</b> [3] 8:24 44:24 58:7  <b>reviewed</b> [1] 42:24  <b>revised</b> [3] 8:19 11:18 12:2  <b>revision</b> [1] 22:16  <b>revisions</b> [1] 92:6  <b>revisit</b> [2] 80:3,19  <b>revolving</b> [1] 30:14  <b>rise</b> [1] 73:6  <b>roll</b> [4] 3:4 4:13 5:17 92:23  <b>rolling</b> [1] 25:11  <b>rotating</b> [1] 57:25  <b>rule</b> [18] 13:8 14:25 15:23,23 16:16 18:21,23 19:3 20:10,23 24:6 34:23 42:4 48:14 51:5 68:21 80:15 82:18  <b>rules</b> [6] 7:8 24:22 35:21 71:5 72:16 82:14  <b>run</b> [1] 77:19  <b>rural</b> [2] 39:9 65:9</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>salaries</b> [3] 30:10,20 86:18  <b>salary</b> [1] 27:9  <b>same</b> [12] 10:6 11:21 12:1 15:24 20:2 31:22 38:21,21 43:2 61:7,7 87:8  <b>saves</b> [1] 62:3  <b>saying</b> [6] 24:11 43:9 44:9</p>
---	--	--	---

# Keyword Index

<p>46:14 52:22 91:14  <b>says</b> [4] 23:2,24 24:17 73:12  <b>scan</b> [2] 44:21 45:1  <b>scenario</b> [1] 12:3  <b>schedule</b> [2] 17:1 23:20  <b>seats</b> [1] 26:2  <b>second</b> [10] 4:9,10,12 5:13,16 35:22 50:24 92:19,21 93:25  <b>secretary</b> [1] 7:12  <b>section</b> [6] 7:1 12:15 17:22 36:25 51:9 81:13  <b>sections</b> [1] 7:2  <b>sector</b> [1] 30:12  <b>see</b> [10] 23:11 25:19 29:19,25 30:17 70:15,19 80:10 81:10 87:6  <b>seeing</b> [2] 41:22 87:14  <b>seem</b> [1] 17:14  <b>seen</b> [1] 59:18  <b>sees</b> [1] 44:3  <b>send</b> [1] 67:19  <b>sense</b> [2] 37:16 63:16  <b>separate</b> [3] 30:3 83:25 84:4  <b>separately</b> [1] 83:24  <b>serve</b> [1] 6:17  <b>service</b> [1] 88:2  <b>services</b> [2] 60:3,4  <b>session</b> [2] 55:9 56:11  <b>shall</b> [8] 13:16,20,25 14:5,12,21 23:24 81:22  <b>share</b> [4] 42:9,10 43:7,18  <b>sharon</b> [5] 3:15 4:22 6:3 88:17 93:9  <b>she's</b> [1] 26:23  <b>shooting</b> [1] 74:12  <b>shops</b> [3] 12:13 74:4,6  <b>shortfall</b> [6] 10:6 21:22 22:10 42:14 56:16 75:11  <b>shortly</b> [1] 23:10  <b>shows</b> [1] 26:21  <b>sic</b> [1] 19:7  <b>side</b> [2] 72:12 85:12  <b>sides</b> [2] 70:16 75:22  <b>significant</b> [2] 18:24 41:6</p>	<p><b>significantly</b> [1] 30:11  <b>simply</b> [1] 15:4  <b>since</b> [2] 14:24,25  <b>sir</b> [3] 22:24 23:18,22  <b>sit</b> [2] 45:6 80:14  <b>sites</b> [4] 39:15,17,22 74:1  <b>situation</b> [1] 52:4  <b>six</b> [3] 78:17,19 80:6  <b>size</b> [3] 59:22 70:7,8  <b>slide</b> [4] 17:18 21:17 23:11 26:20  <b>slush</b> [1] 83:14  <b>small</b> [16] 28:16 38:22,24 40:5,17,23 41:1,7,10,10,11 43:11 67:9,10 69:9 76:25  <b>smaller</b> [2] 39:10 77:5  <b>soapbox</b> [1] 43:18  <b>software</b> [4] 58:5,7,11,12  <b>solicit</b> [1] 53:22  <b>solve</b> [1] 56:2  <b>somebody</b> [1] 71:20  <b>someone</b> [4] 30:25 63:12 66:7 84:24  <b>sometime</b> [1] 66:22  <b>somewhere</b> [1] 32:22  <b>soon</b> [1] 23:13  <b>sophisticated</b> [1] 85:6  <b>sorry</b> [6] 14:18 19:15,21,21 26:9 33:18  <b>sorts</b> [1] 55:8  <b>source</b> [32] 9:21 10:22 11:24,24 12:19,21 14:8 17:1,19 18:4,8 19:9 20:3,4 33:17 34:3,16,19 35:8 36:3 46:25 47:22 66:8 68:21 70:20 71:25 72:25 77:4,12 83:13 87:1,1  <b>sources</b> [58] 8:8 9:7,8,11,13,17 10:17 12:17 13:11,14 14:15 15:4 20:7 33:16 37:7,10 39:4,5,6,8,24 42:8 43:6,8 46:2 48:6,22 49:16 54:2 66:15 68:2,2,5,8,18 69:18 70:6,19 71:7,17 72:6,12,22 73:13,13,22 77:5 79:24 81:5,9,12,13 82:9 86:4,19,22 87:2 90:15</p>	<p><b>speaking</b> [4] 7:25 26:10 31:6 37:1  <b>special</b> [1] 29:4  <b>specialist</b> [1] 8:16  <b>specific</b> [1] 15:17  <b>specifically</b> [1] 84:8  <b>specificity</b> [1] 88:13  <b>spell</b> [1] 41:15  <b>spend</b> [1] 50:3  <b>spending</b> [1] 87:20  <b>spent</b> [1] 9:6  <b>split</b> [1] 86:21  <b>spot</b> [2] 32:19 33:21  <b>spread</b> [1] 86:3  <b>spreading</b> [1] 79:23  <b>staff</b> [19] 8:18 11:11 15:18 17:24 18:2,13,20 20:16 21:1,6 31:10,21 39:15,21 60:8 62:5 83:9 86:17 92:8  <b>stand</b> [1] 10:11  <b>standard</b> [13] 10:19 20:9 25:1,4,13 68:16 71:19 72:2 73:15 81:19,20,20 87:2  <b>standards</b> [10] 9:21 25:9 31:4 33:5 34:1,4 46:8,11 70:24 71:1  <b>standpoint</b> [1] 67:17  <b>start</b> [4] 45:10,25 66:21 67:16  <b>state</b> [25] 7:12,24 9:15 15:10 27:14 28:12 29:22 30:8 31:11,14 32:12 34:16,22 35:7,17 38:19 53:25 57:2 60:5 61:9,23 62:3 63:8 69:10 85:16  <b>statement</b> [1] 7:18  <b>states</b> [9] 13:13 14:7 15:4 17:7 46:6,14,22 47:7 62:24  <b>statewide</b> [7] 53:4,12 54:1 55:7 73:9 75:17 93:22  <b>station</b> [1] 64:18  <b>stationary</b> [2] 42:8 43:6  <b>stations</b> [11] 9:11 13:19,23 14:3 24:18 43:10 59:5 65:18 78:8 88:2 90:20  <b>statutes</b> [1] 7:1  <b>statutory</b> [1] 55:23</p>	<p><b>stay</b> [3] 11:20 18:17 20:2  <b>stays</b> [1] 16:16  <b>steve</b> [2] 53:7 56:10  <b>steve's</b> [2] 54:8 55:22  <b>still</b> [4] 33:1 36:20 75:19 82:5  <b>stimulus</b> [1] 59:9  <b>stop</b> [2] 25:20 81:9  <b>structure</b> [3] 32:24 40:3 48:21  <b>struggle</b> [2] 31:23 54:16  <b>studying</b> [1] 33:19  <b>stuff</b> [1] 77:1  <b>subchapter</b> [15] 12:16,18,21 13:3 15:17 17:2,17,22 18:23 23:16 26:15 39:2 40:7 71:24 92:6  <b>subchapters</b> [2] 26:8 38:16  <b>subject</b> [20] 10:18,20,25 11:6 13:15 14:11,16,20 20:8 39:7 69:18,25 71:18,21,25 72:22 73:14 81:14,18 91:19  <b>submitted</b> [3] 38:15 39:25 59:17  <b>subpart</b> [4] 13:16 14:12 68:8 70:4  <b>subsection</b> [4] 13:2,12 14:23 15:7  <b>substitutes</b> [1] 89:25  <b>success</b> [1] 75:20  <b>successful</b> [1] 85:25  <b>sufficiently</b> [1] 15:12  <b>suggest</b> [1] 41:8  <b>suggestion</b> [2] 45:8 79:7  <b>sullivan</b> [20] 8:12,15 19:15,19 21:5,10,14,18,20 22:9,15,24 23:6,18,22 24:4,9 26:7,14 82:12  <b>summary</b> [1] 19:25  <b>superfund</b> [1] 52:13  <b>supplied</b> [1] 20:23  <b>support</b> [4] 53:5 54:19 75:14 76:8  <b>supporting</b> [1] 42:10  <b>supposed</b> [3] 64:18 73:5</p>
---	--	---	--

# Keyword Index

88:6 <b>surface</b> [1] 79:15 <b>surrounding</b> [1] 17:7 <b>suspect</b> [1] 61:12 <b>system</b> [4] 63:5 84:15 86:7,15	<b>threw</b> [1] 59:21 <b>throughout</b> [1] 43:23 <b>throughput</b> [10] 11:3 13:18,19,23 14:4 24:1,5,10,18 68:14 <b>throw</b> [1] 52:17 <b>tied</b> [1] 57:9 <b>tier</b> [1] 67:8 <b>tiered</b> [5] 25:14 40:3,25 41:9 67:23 <b>tire</b> [1] 64:11 <b>title</b> [12] 6:23,25 7:7 33:22,23 34:9,25 76:24 83:23,24 84:22 85:11 <b>titled</b> [1] 51:10 <b>today</b> [9] 8:23 30:17 80:11,13 87:7 89:9,22 92:7,9 <b>today's</b> [4] 4:1 5:7 6:18 18:20 <b>together</b> [6] 28:8 30:6 46:20 48:13 72:21 86:24 <b>tomorrow</b> [1] 53:14 <b>ton</b> [4] 10:13 11:20 68:16 69:12 <b>tons</b> [2] 16:7,8 <b>took</b> [2] 27:15,25 <b>top</b> [4] 12:6 68:7 69:7,22 <b>total</b> [6] 9:3 10:3 22:1,2,4,5 <b>totally</b> [1] 44:18 <b>touched</b> [1] 17:5 <b>tough</b> [1] 45:16 <b>towards</b> [1] 51:19 <b>track</b> [1] 85:14 <b>trade</b> [3] 48:9 65:11 91:3 <b>tradeoff</b> [1] 65:4 <b>trained</b> [2] 30:16,18 <b>transfer</b> [1] 16:13 <b>travel</b> [6] 58:19,23 59:2 61:21,25 62:3 <b>tried</b> [2] 43:13 53:6 <b>trigger</b> [2] 72:3,15 <b>triggered</b> [1] 72:8 <b>trusting</b> [1] 50:10 <b>try</b> [11] 29:6 32:3 42:25 45:9,23 46:25 48:12 79:7 80:9 85:23 93:21 <b>trying</b> [3] 45:5 62:17 63:19	<b>tuesday</b> [2] 20:21 53:15 <b>tulsa</b> [10] 53:14 59:22 60:2,17,23 61:8,24 62:21 63:2,13 <b>turn</b> [1] 32:13 <b>turns</b> [2] 49:18,25 <b>twelve</b> [1] 58:14 <b>two</b> [3] 35:3 59:9 66:25 <b>two-year</b> [1] 34:23 <b>type</b> [2] 47:21 52:18 <b>typically</b> [1] 39:9	<b>versus</b> [1] 43:24 <b>vice-chair</b> [1] 5:12 <b>video</b> [1] 58:19 <b>voice</b> [1] 51:9 <b>vote</b> [2] 74:10 75:4 <b>v's</b> [2] 33:22,23
<b>T</b>	<b>U</b>	<b>W</b>	
<b>table</b> [1] 7:20 <b>tag</b> [1] 54:7 <b>tags</b> [1] 43:16 <b>talked</b> [2] 65:2 67:3 <b>tank</b> [1] 70:8 <b>tax</b> [3] 43:14 64:10 91:4 <b>team</b> [4] 84:17,21 85:5,8 <b>technical</b> [1] 32:7 <b>technicality</b> [1] 13:5 <b>temporary</b> [2] 19:9,23 <b>ten</b> [2] 47:11 58:14 <b>tend</b> [1] 30:12 <b>term</b> [1] 83:19 <b>terminals</b> [2] 11:6 14:9 <b>termination</b> [1] 40:13 <b>terminations</b> [1] 40:24 <b>terms</b> [1] 24:24 <b>terrill</b> [43] 25:21 31:5 45:9,15 50:25 53:2 56:15 60:1,25 61:11 64:22 65:1 67:11 68:22 69:24 70:11 71:3,9 72:4,10,19 73:4,16 74:8,19 75:1,12 78:9,13 79:6 83:16,21 84:13 85:22 89:12,17,23,25 90:22 91:9,18,24 93:18 <b>themselves</b> [1] 34:18 <b>there's</b> [2] 52:23 58:24 <b>they've</b> [5] 17:15 36:10 38:25 47:2,16 <b>thinking</b> [5] 71:11,23 73:7 84:14,17 <b>thinks</b> [1] 84:25 <b>thirdly</b> [1] 10:16 <b>thompson</b> [1] 53:8 <b>though</b> [2] 17:13 68:20 <b>thoughts</b> [1] 59:20 <b>three</b> [6] 34:23,24 51:21 68:15 75:10 88:21 <b>three-year</b> [1] 35:11	<b>ultimately</b> [1] 40:19 <b>unaware</b> [1] 52:10 <b>under</b> [15] 18:10,16 26:4 32:12 37:12 68:9,10,20 69:1,13,15 70:9 71:5 72:16 88:7 <b>underneath</b> [2] 70:25 71:15 <b>understand</b> [5] 29:18 34:14 38:17 45:14 61:2 <b>understanding</b> [1] 32:5 <b>unfair</b> [1] 73:23 <b>units</b> [2] 69:5,10 <b>unpermitted</b> [4] 13:13 14:8 20:7 68:3 <b>until</b> [5] 27:7 46:12 59:19 74:17 77:16 <b>up</b> [32] 9:3,4,5 10:2 23:7 25:23 27:13 30:16 31:9,12 36:6 40:11,14,19 47:11 56:21 57:4,9 60:8,16,17 61:23 62:7 63:10 67:1 73:24 74:2 85:2,25 88:17 91:10 93:20 <b>upcoming</b> [1] 51:22 <b>update</b> [1] 49:8 <b>updated</b> [1] 20:23 <b>uphill</b> [1] 54:16 <b>using</b> [1] 58:11 <b>utility</b> [1] 42:16	<b>wanted</b> [5] 30:1,4 36:25 52:20 88:18 <b>wants</b> [1] 38:7 <b>waste</b> [1] 48:2 <b>wasting</b> [1] 76:9 <b>water</b> [3] 28:10 56:3 62:13 <b>wavelength</b> [1] 61:7 <b>way</b> [14] 29:13 34:13 43:10,15 46:12,16,23 48:15 60:19 77:14,17 80:8,20 90:9 <b>ways</b> [1] 61:4 <b>web</b> [1] 15:1 <b>week</b> [2] 38:15 58:6 <b>welding</b> [1] 74:6 <b>whatever</b> [6] 54:7 55:13 77:12 82:24 85:1 89:16 <b>whether</b> [3] 67:16 77:10,11 <b>white</b> [5] 3:7 5:20 92:19 93:1,2 <b>whole</b> [6] 57:10 60:2 72:20 77:3 78:16 79:16 <b>who's</b> [2] 37:1 90:18 <b>will</b> [42] 5:16 6:19 7:9,21 8:1 11:20,22 12:1,3 15:4 16:12 18:5 19:10 21:8,10 23:10,13 32:19 39:13 47:4,10,12,13 48:17 49:12 55:23,25 56:9 59:15 63:19 65:17 77:8 83:5,8,11,22 84:24 85:24 87:10,16 92:22 93:20 <b>wish</b> [1] 7:17 <b>wishes</b> [1] 41:21 <b>within</b> [2] 25:1 57:5 <b>without</b> [2] 37:11 58:11 <b>wondering</b> [1] 24:19 <b>wording</b> [3] 25:3 42:3 44:1 <b>work</b> [25] 54:12 56:9,10 57:	

# Keyword Index

19 61:24 62:10 63:3,4 66:  
22 71:1,18 72:1 73:15 76:4  
77:8,17,24 81:20 83:7,8,9  
87:23,25 90:23 93:21  
**worked** [2] 38:18 58:20  
**working** [7] 42:15 46:19  
53:23 56:6 59:12 65:5 66:3  
**workload** [2] 9:4,22  
**works** [1] 80:10  
**worth** [1] 67:17  
**written** [1] 20:13  
**wrote** [1] 22:6

---

## X

---

**x-number** [1] 28:13

---

## Y

---

**year** [19] 10:22 11:4,8 13:  
22 14:2,6 24:11,14 31:18  
43:23 49:4,5,7 51:22 52:3  
53:25 58:22 78:16 84:5  
**years** [8] 27:7,17 28:4,13  
34:24 57:1 59:10 63:1  
**yield** [2] 12:3,25

---

## Z

---

**zzzz** [5] 9:20 33:8 34:3,4,6

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF OKLAHOMA

\* \* \* \* \*

TRANSCRIPT OF PROCEEDINGS  
OF THE AIR QUALITY COUNCIL MEETING  
ITEMS 5B THROUGH 5E  
ON JANUARY 19, 2011, AT 9:00 AM  
IN OKLAHOMA CITY, OKLAHOMA

\* \* \* \* \*

MYERS REPORTING SERVICE  
Christy Myers, CSR  
P.O. Box 721532  
Oklahoma City, Oklahoma 73172-1532  
(405) 721-2882

1 MEMBERS OF THE COUNCIL  
 2 LAURA LODES, CHAIR  
 3 JIM HAUGHT, VICE-CHAIR  
 4 PETE WHITE, MEMBER  
 5 SHARON MYERS, MEMBER  
 6 MONTELLE CLARK, MEMBER  
 7 DAVID GAMBLE, MEMBER  
 8 GARY COLLINS, MEMBER  
 9 ROBERT LYNCH, MEMBER  
 10 DAVID BRANECKY, MEMBER  
 11 DEQ STAFF  
 12 MYRNA BRUCE  
 13 BEVERLY BOTCHLET-SMITH  
 14 EDDIE TERRILL  
 15 CHERYL BRADLEY  
 16 ROBERT SINGLETARY  
 17 PAT SULLIVAN  
 18 NANCY MARSHMENT  
 19 DIANA HINSON  
 20 LEON ASHFORD  
 21 TREVOR HAMMONS  
 22 DIANA HINSON  
 23 JOYCE SHEEDY  
 24 PROCEEDINGS  
 25 ITEM NUMBER 5B

1 gas or GHG modifications to  
 2 Subchapters 1, 7, and 8; and PM2.5,  
 3 which is also known as fine  
 4 particulate matter, modifications to  
 5 Subchapters 3 and 8.  
 6 The proposed modifications to  
 7 these four subchapters are being  
 8 presented in one hearing because  
 9 both the greenhouse gas  
 10 modifications and the PM2.5  
 11 modifications involve changes to  
 12 Section 31 of Subchapter 8.  
 13 Under the State's rulemaking  
 14 procedures a section of rules may  
 15 only be modified once in a year and  
 16 the state is required to submit a  
 17 state implementation plan known as a  
 18 SIP revision to EPA in 2011  
 19 incorporating Phase 1 of the PM2.5  
 20 NSR implementation rule. And the  
 21 greenhouse gas emergency rule  
 22 changes to Subchapter 1, Subchapter  
 23 7, and Subchapter 8 incorporating  
 24 EPA's Tailoring Rule provisions will  
 25 expire on July the 14th, 2011.

1 MS. BOTCHLET-SMITH: Since  
 2 it's been awhile since we got here  
 3 I'd just like to remind everyone if  
 4 you wish to comment you can fill out  
 5 one of the forms at the registration  
 6 table for any of these future rules  
 7 that are on the Agenda. And also to  
 8 remind everyone that when they come  
 9 to the podium to please state your  
 10 name, because that really helps out  
 11 our court reporter.  
 12 The next item on the Agenda is  
 13 5B. This is OAC 252:100-1, General  
 14 Provisions. OAC 252:100-3, Air  
 15 Quality Standards and Increments.  
 16 OAC 252:100-7, Permits for Minor  
 17 Facilities. OAC 252:100-8, Permits  
 18 for Part 70 Sources. And Dr. Joyce  
 19 Sheedy of the DEQ Air Quality  
 20 Division will be giving the staff  
 21 presentation today.  
 22 DR. SHEEDY: Okay.  
 23 Madam Chair, Members of the  
 24 Council, ladies and gentlemen. The  
 25 Department is proposing greenhouse

1 Therefore it's important that both  
 2 the greenhouse gas modifications and  
 3 the PM2.5 modifications be  
 4 considered together.  
 5 The Department is proposing  
 6 modifications to the General  
 7 Provisions in Subchapter 1, the  
 8 Minor Facility Permitting Program in  
 9 Subchapter 7, and the Part 70 and  
 10 PSD permitting programs in  
 11 Subchapter 8. These modifications  
 12 will clarify that the State's  
 13 permitting rules implement the  
 14 provisions of EPA's Greenhouse Gas  
 15 Tailoring Rule and are no more  
 16 stringent than the federal  
 17 permitting rules.  
 18 The Council first considered  
 19 the greenhouse gas modifications at  
 20 its last meeting on October 27,  
 21 2010. At that meeting, the Council  
 22 voted to forward these modifications  
 23 to the Environmental Quality Board  
 24 with the recommendation that they be  
 25 adopted as emergency rule changes.

Page 6

1 At that same meeting, the Council  
 2 voted to continue the hearing on the  
 3 proposed permanent rules to today's  
 4 meeting. The Board approved the  
 5 proposed emergency rules at its  
 6 meeting on November 16, 2010, and  
 7 the amendments became effective on  
 8 December 27, 2010, when signed by  
 9 Governor Henry. These emergency  
 10 rules are in effect until July 14,  
 11 2011, or until superseded by  
 12 permanent rules, whichever date is  
 13 earlier. The proposed greenhouse  
 14 gas modifications to Subchapters 1,  
 15 7, and 8 are substantively identical  
 16 to the emergency rule changes, but  
 17 they are not word for word the same.  
 18 We've cleaned it up a bit. We added  
 19 a few commas for consistency in  
 20 punctuation; we've added a word or  
 21 two for clarity; and we've deleted a  
 22 redundant word or two, but we  
 23 believe the meaning remains  
 24 unchanged.  
 25 Staff proposes to change the

Page 7

1 last sentence in proposed new  
 2 Section 2.1 of Subchapter 7 that was  
 3 posted on our website and was  
 4 included in the Council packets. I  
 5 believe a copy of that revised  
 6 wording has been included in the  
 7 Council's folders today.  
 8 Staff recommends that the  
 9 sentence should be, quote -- well  
 10 there are no quotes in it -- it  
 11 should be, physical or operational  
 12 limitations may include, but are not  
 13 limited to, air pollution control  
 14 equipment, restrictions on hours of  
 15 operation, and/or restrictions on  
 16 the type or amount of material  
 17 combusted, stored, or processed.  
 18 This is not a substantive change.  
 19 The Department is also  
 20 proposing some minor changes to  
 21 Subchapter 1 that are being  
 22 presented to the Council for the  
 23 first time today.  
 24 The Department is proposing  
 25 modifications to the State's PSD and

Page 8

1 Nonattainment New Source Review or  
 2 NNSR permitting programs to  
 3 implement the changes in federal  
 4 requirements brought about by the  
 5 new National Ambient Air Quality  
 6 Standards or NAAQS for PM2.5  
 7 published in 1997 and revised in  
 8 2006.  
 9 These proposed changes will  
 10 update the PSD increments in  
 11 Subchapter 3 and the NSR program in  
 12 Subchapter 8, and enable the  
 13 Department to maintain its delegated  
 14 authority for the full NSR program.  
 15 Phase 1 of the implementation  
 16 rule -- of the NSR implementation  
 17 rule was published on May 16, 2008  
 18 and established a major source  
 19 threshold, significant emission  
 20 rates, offset ratios, interpollutant  
 21 trading for offsets, and  
 22 applicability of NSR to PM2.5  
 23 precursors. These modifications  
 24 were proposed at the October 27,  
 25 2010, Council meeting. In October

Page 9

1 the Council continued the hearing on  
 2 the proposed PM2.5 modifications to  
 3 Subchapter 8 until today's meeting.  
 4 These proposed modifications have  
 5 not been changed.  
 6 Phase 2 of the NSR  
 7 implementation rule was published in  
 8 the Federal Register on October 20,  
 9 2010 and contains PM2.5 increments,  
 10 Significant Impact Level or SILs,  
 11 and a Significant Monitoring  
 12 Concentration or SMC.  
 13 Staff is proposing for the  
 14 first time changes to Subchapter 3  
 15 and Subchapter 8 to incorporate  
 16 these provisions. The proposed  
 17 modifications to OAC 252:100-3-4(b)  
 18 adds the new 24-hour and annual  
 19 PM2.5 PSD increments.  
 20 The proposed changes to  
 21 Subchapter 8 modify the definition  
 22 of "baseline area" and "baseline  
 23 date" in OAC 252:100-8-31 to include  
 24 PM2.5. Excuse me. Modifies Section  
 25 33 Subsection (c) to include a

Page 10

1 significant monitoring concentration  
 2 for PM2.5 and it modifies 8-33(g) to  
 3 reflect the change that was made in  
 4 252:100-8-35(a) regarding air  
 5 quality impact evaluation. It  
 6 modifies 252:100-8-35(a) to add  
 7 significant impact levels for PM2.5  
 8 and update -- it updates the  
 9 incorporation by reference date in  
 10 Section 52 to December 20, 2010, to  
 11 include the revision to 40 CFR  
 12 51.165(b)(2) regarding sources in  
 13 attainment areas that cause or  
 14 contribute to NAAQS violation. This  
 15 last modification adds a  
 16 significance level for PM2.5.

17 We propose to change the  
 18 incorporation by reference date for  
 19 40 CFR 51.165(b)(2) from July 1,  
 20 2011, to December 20, 2010, the  
 21 effective date of the federal rule  
 22 modification. This will ensure that  
 23 there is no prospective  
 24 incorporation of reference for this  
 25 federal rule. A copy of the

Page 11

1 proposed change is included in the  
 2 Council's folder today.  
 3 While these Sections are open  
 4 for revision, the Department also  
 5 proposes to make some additional  
 6 corrections and non-substantive  
 7 clarifications and format changes to  
 8 Subchapter 8.

9 The Department proposes to  
 10 correct a reference error in the  
 11 definition of "administratively  
 12 complete" in OAC 252:100-8-2 to  
 13 Paragraph (b). The reference to OAC  
 14 252:2-15-20(b)(3) needs to be  
 15 changed to OAC 252:4-7-13(b) since  
 16 Chapter 2 has been changed to  
 17 Chapter 4. This was brought to our  
 18 attention -- I'm running out of  
 19 voice -- after the Council packets  
 20 were mailed. This is not a  
 21 substantive change. And a copy of  
 22 this change has been included in the  
 23 Council folder today.

24 As presented in the October  
 25 27, 2010 Council meeting, the

Page 12

1 Department proposes to correct an  
 2 error in the definition of "major  
 3 stationary source" in Section 31 by  
 4 changing the charging rate for  
 5 municipal incinerators in  
 6 (A)(i)(XIV) of the definition from  
 7 50 tons of refuse per day to 250  
 8 tons of refuse per day to match the  
 9 federal definition in 40 CFR  
 10 51.166(b)(1). This is a substantive  
 11 change.

12 The Department also proposes  
 13 to make some format and  
 14 non-substantive language changes to  
 15 Subchapter 8 for clarity. For  
 16 example, PM dash 10 (PM-10) is now  
 17 being replaced by PM subscript 10.

18 Notice of the proposed  
 19 permanent rule changes was published  
 20 in the Oklahoma Register on December  
 21 15, 2010. The notice requested  
 22 written comments from the public and  
 23 other interested parties.

24 On January 18, 2011, the  
 25 Department received a letter from

Page 13

1 Jeff Robinson, Chief, Air Permits  
 2 Section of EPA Region 6. Mr.  
 3 Robinson encouraged the Department  
 4 to expeditiously adopt the proposed  
 5 greenhouse gas modifications to  
 6 Subchapter 8 permanent rules. He  
 7 did not comment on the greenhouse  
 8 gas modification to Subchapter 7 or  
 9 the PM2.5 modifications.

10 EPA has, in the latest on the  
 11 continuing saga of greenhouse gas,  
 12 EPA made public notice on the 12th  
 13 of January in which they announced  
 14 they were deferring greenhouse gas  
 15 permitting requirements for CO2  
 16 emissions from biomass-fired and  
 17 other biogenic sources for 3 years  
 18 for further study. The sources  
 19 covered would, at least as they  
 20 announced, would be facilities that  
 21 emit CO2 as a result of burning  
 22 forest or agricultural products for  
 23 energy, wastewater treatment and  
 24 livestock management facilities,  
 25 landfills, and fermentation

Page 14

1 processes for ethanol production.  
 2 EPA announced that they plan to  
 3 complete the rulemaking by July 2011  
 4 that will accomplish this deferral  
 5 and they plan to issue guidance  
 6 shortly that will provide a basis  
 7 that permitting authorities can use  
 8 to conclude that the use of biomass  
 9 as fuel is BACT for GHG emissions  
 10 until EPA can complete it deferral  
 11 rulemaking.

12 Staff requests that the  
 13 proposed greenhouse gas, and PM2.5,  
 14 and miscellaneous amendments to  
 15 Subchapters 1, 3, 7, and 8, as we  
 16 modified at this meeting, be  
 17 forwarded to the Environmental  
 18 Quality Board with the  
 19 recommendation that they be adopted  
 20 as permanent rule changes.

21 Thank you.

22 MS. BOTCHLET-SMITH: Do we  
 23 have any questions from the Council  
 24 for Dr. Sheedy? David.

25 MR. BRANECKY: Yes. Under

Page 16

1 look at (b) it says the minor source  
 2 baseline date --

3 DR. SHEEDY: Uh-huh.

4 MR. BRANECKY: -- which I  
 5 guess (b) refers to --

6 DR. SHEEDY: Uh-huh.

7 MR. BRANECKY: -- is the  
 8 earliest date after the trigger date  
 9 on which a major stationary source  
 10 or a major modification submits a  
 11 completed application. So I'm --

12 DR. SHEEDY: Okay.

13 MR. BRANECKY: -- trying to  
 14 understand how you came up with  
 15 October 20, 2011, it's depended upon  
 16 when a major stationary source  
 17 submits a completed application.

18 DR. SHEEDY: No. The  
 19 trigger date -- the trigger date is  
 20 -- is different. The baseline date  
 21 is the earliest date after the  
 22 trigger date.

23 MR. BRANECKY: Okay.

24 DR. SHEEDY: And EPA has  
 25 set that trigger date.

Page 15

1 Subchapter 8 on Page 9 on the  
 2 definition of baseline date.

3 DR. SHEEDY: Hang on a  
 4 minute.

5 MR. BRANECKY: I'm trying  
 6 to understand. You've got the major  
 7 source baseline date.

8 DR. SHEEDY: Okay.

9 MR. BRANECKY: You've got  
 10 -- for major source in the case of  
 11 PM2.5 on October 20, 2010 in (a) --

12 DR. SHEEDY: Uh-huh.

13 MR. BRANECKY: -- and then  
 14 in (b) we talk about 2.5 being  
 15 October 20, 2011.

16 DR. SHEEDY: The minor  
 17 source baseline date.

18 MR. BRANECKY: How did you  
 19 come up with 2011?

20 DR. SHEEDY: Well, these  
 21 are EPA's dates that are in the  
 22 Federal Register -- in the  
 23 rulemaking Federal Register, these  
 24 are the dates that they have.

25 MR. BRANECKY: Well, if you

Page 17

1 MR. BRANECKY: Okay. I  
 2 understand. There's a baseline date  
 3 and a trigger date.

4 DR. SHEEDY: Right.

5 MR. BRANECKY: Okay.

6 DR. SHEEDY: Not the same.

7 MR. BRANECKY: Okay. Thank  
 8 you.

9 DR. SHEEDY: Baseline date  
 10 is nothing if not confusing, at  
 11 least to me.

12 MS. BOTCHLET-SMITH:  
 13 Sharon.

14 MS. MYERS: On some of the  
 15 definitions the carbon dioxide  
 16 equivalent is not defined until you  
 17 start finding it buried under the  
 18 subject to regulation. I'm just  
 19 kind of curious as to why that's  
 20 structured like that. Greenhouse  
 21 gas has its own definition but the  
 22 carbon dioxide equivalent does not;  
 23 it's buried underneath another  
 24 definition.

25 DR. SHEEDY: Well, we

Page 18

1 basically echoed EPA's method of  
2 doing this which was, I think, based  
3 on an approach they were using to be  
4 able to do these changes in a much  
5 more rapid manner than usual and  
6 they stuck it there. I don't  
7 suppose there is any thing that  
8 would keep us from taking it out of  
9 there and putting it into a  
10 definition of its own.

11 MS. MYERS: It seems like  
12 it would be a little cleaner. If  
13 you're looking through this trying  
14 to figure out what a carbon dioxide  
15 equivalent is, it seems like it  
16 would be a little cleaner approach  
17 --

18 DR. SHEEDY: Yeah.

19 MS. MYERS: -- for it to  
20 have its own designation just like  
21 GHG does.

22 DR. SHEEDY: Yeah. It  
23 might be easier to find.

24 MS. MYERS: Just an  
25 observation.

Page 19

1 DR. SHEEDY: Yeah. I think  
2 that could be -- I think that could  
3 be done without destroying the  
4 meaning of the modification.

5 MR. BRANECKY: So you're  
6 saying put it in the definition  
7 section up front?

8 MS. LODES: In Subchapter  
9 1?

10 MR. BRANECKY: Or in  
11 subchapter --

12 MS. MYERS: It's referenced  
13 in Subchapter 1 as an acronym --

14 MR. BRANECKY: Right.

15 MS. MYERS: -- and then you  
16 go back into --

17 DR. SHEEDY: Uh-huh.

18 MS. MYERS: -- where you  
19 get into the calculations in  
20 Subchapter 8.

21 DR. SHEEDY: Uh-huh.

22 MS. MYERS: But it doesn't  
23 have its own definition in  
24 Subchapter 8, it's buried underneath  
25 subject to regulation.

Page 20

1 DR. SHEEDY: Uh-huh. Yes.

2 MS. MYERS: That's my  
3 question. Why is it --

4 DR. SHEEDY: We use it  
5 basically -- I think the only place  
6 we're using it at this time is in  
7 two sections in Subchapter 8. The  
8 two parts -- the Part 70 program in  
9 Part 5 and then we use it again in  
10 Part 8 -- no, I mean Part 7, for  
11 the PSD program. So we could put it  
12 in Subchapter 1 or we could put it  
13 somewhere in Subchapter 8.

14 MS. MYERS: Well, I don't  
15 know if you could put a reference in  
16 Subchapter 1 to refer it to being  
17 defined in Subchapter 8 or  
18 something. I mean it's --

19 DR. SHEEDY: Well, I don't  
20 know that we won't be using it  
21 somewhere else later in the  
22 subchapter -- in the chapter.

23 MR. BRANECKY: I don't  
24 think you want to put it in  
25 Subchapter 1 --

Page 21

1 MS. LODES: I think  
2 Subchapter 1 would make more sense.

3 MR. BRANECKY: -- the  
4 definition of --

5 DR. SHEEDY: Uh-huh.

6 MR. BRANECKY: -- carbon  
7 dioxide equivalent in Subchapter 1.

8 MS. MYERS: Because that's  
9 where most of the definitions are.

10 MR. BRANECKY: Right. And  
11 you refer to it in Subchapter 1.

12 MS. LODES: We've been  
13 trying to move all of the  
14 definitions to Subchapter 1, it  
15 seems like over the last several  
16 years. So that would make the most  
17 sense to put it there.

18 DR. SHEEDY: Well,  
19 certainly we've been trying to put  
20 all the definitions in Subchapter 1  
21 that apply to more than one  
22 subchapter, certainly. So -- okay.  
23 I can't see any reason not to. Rob?

24 MS. MYERS: Does that  
25 require opening up Subchapter 1

1 again?  
 2 DR. SHEEDY: Well,  
 3 Subchapter 1 is open.  
 4 MR. TERRILL: What we're  
 5 talking about is whether or not we  
 6 might want to take a short break,  
 7 fix this today so you can pass it so  
 8 we don't have to bring it back.  
 9 DR. SHEEDY: Uh-huh.  
 10 MR. TERRILL: Actually,  
 11 they are already working on it.  
 12 We'd really like to get this done  
 13 and clean this up (inaudible).  
 14 MS. MYERS: I think it  
 15 would be cleaner to have the  
 16 definition with the other major  
 17 definitions. That's going to be a  
 18 big one for regulated folks to be  
 19 looking up.  
 20 DR. SHEEDY: Uh-huh.  
 21 MS. MYERS: And to have it  
 22 buried down within another  
 23 definition seems to be a little bit  
 24 --  
 25 MR. TERRILL: You don't

1 like EPA's approach?  
 2 MS. MYERS: You know how I  
 3 feel about that.  
 4 MR. BRANECKY: Eddie, in  
 5 the interest of time can we continue  
 6 this one and go on to the next one  
 7 and come back?  
 8 MS. LODES: Let's  
 9 definitely continue any questions or  
 10 comments we've got on this.  
 11 DR. SHEEDY: Okay. So --  
 12 MS. BOTCHLET-SMITH: They'll  
 13 have that done in just a minute.  
 14 Are there other questions from the  
 15 Council?  
 16 Okay. While the Council  
 17 thinks about any other questions, I  
 18 haven't received any Notice of  
 19 Comment from the public. Is there  
 20 anyone here that wishes to make a  
 21 comment on the rules as they're  
 22 being presented?  
 23 Seeing no hands, it's back to  
 24 the Council to have further  
 25 discussion other than what we're

1 getting ready to read into the  
 2 record.  
 3 MS. LODES: I don't know  
 4 that -- I mean that's what I was  
 5 asking.  
 6 MR. BRANECKY: Yeah. Why  
 7 can't we just -- we've got carbon  
 8 dioxide equivalent defined  
 9 somewhere, can't we just take that  
 10 and move it to 1.  
 11 DR. SHEEDY: Yeah. It's  
 12 defined in two places, I believe.  
 13 It's defined in the definition of  
 14 subject to regulation in 8-2 and in  
 15 8-31.  
 16 MR. BRANECKY: Well, we  
 17 could just leave those definitions  
 18 there and then just add one in  
 19 Subchapter 1.  
 20 DR. SHEEDY: Uh-huh.  
 21 MR. BRANECKY: If you all  
 22 would agree to do that I don't  
 23 necessarily need to see it.  
 24 DR. SHEEDY: Yeah. It  
 25 would echo what's in the other two.

1 MS. LODES: Yeah. We don't  
 2 -- I don't need to see it.  
 3 DR. SHEEDY: Okay.  
 4 MS. MYERS: I agree with  
 5 that.  
 6 DR. SHEEDY: Yeah. I don't  
 7 see any problem in doing that unless  
 8 legal counsel or my boss has a  
 9 problem.  
 10 MS. LODES: So is it  
 11 different in the two places?  
 12 MS. BOTCHLET-SMITH: It's a  
 13 little different and we're trying to  
 14 reconcile that difference.  
 15 DR. SHEEDY: Well, I think  
 16 basically -- doesn't it mean the  
 17 same?  
 18 MR. SINGLETARY: Yeah.  
 19 DR. SHEEDY: Okay.  
 20 MR. SINGLETARY: Well,  
 21 they're written --  
 22 (Comments)  
 23 MS. LODES: Can we pause  
 24 this for a minute and maybe go on to  
 25 the next item on the Agenda?

1 MS. BOTCHLET-SMITH: We can  
 2 postpone it to a few minutes and  
 3 come back to it to a certain time.  
 4 MS. LODES: Okay. Do we  
 5 need a motion to postpone it?  
 6 MS. BOTCHLET-SMITH: Yes.  
 7 Yes. You need a motion.  
 8 MS. LODES: Okay. I need a  
 9 motion to postpone this for a  
 10 certain length of time while they  
 11 work on the definitions. So we can  
 12 move on to the next item on the  
 13 Agenda.  
 14 MR. BRANECKY: How much  
 15 time?  
 16 (Multiple Discussions)  
 17 MR. BRANECKY: I move.  
 18 MS. MYERS: Okay. I'll  
 19 second it, then.  
 20 MR. BRANECKY: I move that  
 21 we do what they said to do.  
 22 MS. MYERS: I'll second  
 23 whatever David said.  
 24 MR. BRANECKY: I move that  
 25 we postpone -- that we continue this

1 to give the staff enough time to  
 2 develop some language before we come  
 3 back to this item on the Agenda and  
 4 continue on to the next item.  
 5 MS. MYERS: Second.  
 6 MS. LODES: I have a motion  
 7 and a second. I am assuming we need  
 8 to call the roll, Myrna.  
 9 MS. BRUCE: Bob Lynch.  
 10 DR. LYNCH: Yes.  
 11 MS. BRUCE: Pete White  
 12 MR. WHITE: Yes.  
 13 MS. BRUCE: David Gamble.  
 14 MR. GAMBLE: Yes.  
 15 MS. BRUCE: David Branecky.  
 16 MR. BRANECKY: Yes.  
 17 MS. BRUCE: Jim Haught.  
 18 MR. HAUGHT: Yes.  
 19 MS. BRUCE: Sharon Myers.  
 20 MS. MYERS: Yes.  
 21 MS. BRUCE: Gary Collins.  
 22 MR. COLLINS: Yes.  
 23 MS. BRUCE: Montelle Clark.  
 24 MR. CLARK: Yes.  
 25 MS. BRUCE: Laura Lodes.

1 MS. LODES: Yes.  
 2 MS. BRUCE: Motion passed.  
 3 (Item Number 5B Continued)  
 4 ITEM NUMBER 5C  
 5 MS. BOTCHLET-SMITH: The  
 6 next item on the Agenda is Number  
 7 5C. This is Appendix A, Allowable  
 8 Particulate Matter Emission Rate for  
 9 Incinerators.  
 10 This presentation is being  
 11 given by Ms. Diana Hinson of our  
 12 staff.  
 13 MS. HINSON: Good morning,  
 14 Madam Chair, Members of the Council,  
 15 ladies and gentlemen. I'm Diana  
 16 Hinson, an Environmental Program  
 17 Specialist in the Rules and Planning  
 18 Section of Air Quality, Department  
 19 of Environmental Quality.  
 20 The Department is proposing to  
 21 revoke Appendix A, allowable  
 22 emissions for incinerators and adopt  
 23 a new Appendix A in order to correct  
 24 inaccuracies.  
 25 Notice of the proposed rule

1 changes was published in the  
 2 Oklahoma Register on December 15,  
 3 2010 and comments were requested  
 4 from members of the public. No  
 5 comments have been received at this  
 6 date.  
 7 This is the first time the  
 8 Council has been notified of the  
 9 proposed revisions. The Department  
 10 suggests that the Council consider  
 11 voting to send the modification to  
 12 the Environmental Quality Board with  
 13 a recommendation that it be adopted  
 14 as a permanent rule.  
 15 Thank you.  
 16 MS. BOTCHLET-SMITH: Are  
 17 there any questions from the Council  
 18 for Ms. Hinson? Any questions from  
 19 the public?  
 20 Hearing none, if there is not  
 21 any discussion by the Council,  
 22 Laura, I ask for a motion.  
 23 MS. LODES: We have no  
 24 discussion. The Agency has  
 25 recommended that we pass this. Do I

1 have a motion?  
 2 MR. HAUGHT: I'll make the  
 3 motion that we accept the  
 4 modifications to Appendix A as  
 5 recommended by staff.  
 6 MR. CLARK: I'll second it.  
 7 MS. LODES: I have a motion  
 8 and a second. Myrna, would you  
 9 please call roll.  
 10 MS. BRUCE: Bob Lynch.  
 11 DR. LYNCH: Yes.  
 12 MS. BRUCE: Pete White.  
 13 MR. WHITE: Yes.  
 14 MS. BRUCE: David Gamble.  
 15 MR. GAMBLE: Yes.  
 16 MS. BRUCE: David Branecky.  
 17 MR. BRANECKY: Yes.  
 18 MS. BRUCE: Jim Haught.  
 19 MR. HAUGHT: Yes.  
 20 MS. BRUCE: Sharon Myers.  
 21 MS. MYERS: Yes.  
 22 MS. BRUCE: Gary Collins.  
 23 MR. COLLINS: Yes.  
 24 MS. BRUCE: Montelle Clark.  
 25 MR. CLARK: Yes.

1 MS. BRUCE: Laura Lodes.  
 2 MS. LODES: Yes.  
 3 MS. BRUCE: Motion passed.  
 4 (Item Number 5C Concluded)  
 5 ITEM NUMBER 5D  
 6 MS. BOTCHLET-SMITH: The  
 7 next item on the Agenda is Number  
 8 5D. This is Appendix E, Primary  
 9 Ambient Air Quality Standards and  
 10 the presentation will be given by  
 11 Mr. Leon Ashford of the Air Quality  
 12 staff.  
 13 MR. ASHFORD: Hello. I'm  
 14 Leon Ashford of the Oklahoma DEQ.  
 15 Good morning, Madam Chair, Members  
 16 of the Council, ladies and  
 17 gentlemen.  
 18 Staff proposes to revoke  
 19 Appendix E, Primary Air Quality  
 20 Standards, and replace it with a new  
 21 Appendix E that includes recent  
 22 changes to the National Ambient Air  
 23 Quality Standards or NAAQS for the  
 24 nitrogen dioxide or NO2, and sulfur  
 25 dioxide, SO2 Standards.

1 The Clean Air Act requires  
 2 that the EPA periodically review and  
 3 revise the NAAQS. On February 9,  
 4 2010, EPA promulgated a new one-hour  
 5 NO2 primary standard of 100 parts  
 6 per billion. EPA promulgated a new  
 7 one-hour SO2 primary standard of 75  
 8 parts per billion and revoked the  
 9 24-hour and annual standards on June  
 10 2, 2010. EPA is expected to revise  
 11 the secondary standard for NO2 and  
 12 SO2 next year.  
 13 Appendix E is currently part  
 14 of Oklahoma's EPA-approved State  
 15 Implementation Plan or SIP. The  
 16 proposed changes are necessary to  
 17 update the primary ambient air  
 18 quality standards in the state rule  
 19 to make them consistent with and as  
 20 protective as the federal standards.  
 21 Upon promulgation, the new Appendix  
 22 E will be submitted to EPA as a  
 23 revision to the SIP.  
 24 Notice of the proposed  
 25 permanent rule changes was published

1 in the Oklahoma Register on December  
 2 15, 2010. The notice requested  
 3 written comments from the public and  
 4 other interested parties. The only  
 5 comment made was received from EPA  
 6 Region 6, and they concurred with  
 7 the changes.  
 8 Staff requests that the  
 9 Council vote to recommend the  
 10 proposed rule change and be  
 11 forwarded to the Environmental  
 12 Quality Board for adoption as a  
 13 permanent rule.  
 14 MS. BOTCHLET-SMITH: Is  
 15 there any questions for Mr. Ashford?  
 16 David.  
 17 MR. BRANECKY: Yes. Well,  
 18 in the -- on the new proposal in the  
 19 footnotes 8 and 9 that referred to  
 20 the new SO2 and NO2 standard, the  
 21 language says that -- refers to  
 22 within an area -- at each monitor  
 23 within an area that's not exceeding  
 24 a given amount. Is that --  
 25 MR. ASHFORD: Yes.

Condensed Transcript

Page 34

1 MR. BRANECKY: -- defined  
2 area, is that defined in the  
3 appendix --  
4 MR. ASHFORD: In the  
5 appendix, yes.  
6 MR. BRANECKY: -- or what  
7 is an area -- for the state?  
8 MR. ASHFORD: That is  
9 lifted directly from the footnotes  
10 that EPA had and I'm not -- I'm not  
11 sure that it's defined anywhere.  
12 General assumption would be -- would  
13 possibly be determined by how the  
14 monitoring site is cited. There is  
15 a designation for each monitoring  
16 site whether it's a neighborhood or  
17 urban scale or rural scale and that  
18 area might go along with that  
19 definition that each site has.  
20 MR. BRANECKY: And then  
21 another question. Maybe you don't  
22 know the answer because this is EPA  
23 language, but in 8 it talks about  
24 maximum one-hour average at each  
25 monitor and in 9 it says maximum

Page 35

1 one-hour average concentration at  
2 each monitor. Is there a difference  
3 or a reason for the difference in  
4 language?  
5 One says average concentration  
6 and the other one just says average.  
7 MR. ASHFORD: I don't  
8 believe there is an intended  
9 difference.  
10 MR. BRANECKY: Blame it on  
11 the lawyers.  
12 MR. ASHFORD: Right.  
13 MR. BRANECKY: All right.  
14 It's just different language. I  
15 didn't know if there was a reason  
16 for that difference.  
17 MR. ASHFORD: It's probably  
18 different people writing the  
19 footnotes at different times.  
20 MR. BRANECKY: Okay. Thank  
21 you.  
22 MR. ASHFORD: You're  
23 welcome.  
24 MS. BOTCHLET-SMITH: Other  
25 questions from the Council? Any

Page 36

1 questions or comments from the  
2 public?  
3 Hearing none, Laura.  
4 MS. LODES: We have no  
5 further comments or questions. The  
6 Agency has recommended that we pass  
7 the proposed changes. Do I have a  
8 motion?  
9 MR. HAUGHT: I move that we  
10 accept the staff's recommendations  
11 to the modifications to Appendix E  
12 to reflect the changes in primary  
13 ambient air quality standards.  
14 MS. MYERS: Which appendix,  
15 Jim?  
16 MR. HAUGHT: E.  
17 MS. MYERS: Okay.  
18 MS. LODES: I have a  
19 motion. Do I have a second?  
20 MR. GAMBLE: Second.  
21 MS. LODES: I have a motion  
22 and a second. Myrna, would you  
23 please call the roll.  
24 MS. BRUCE: Bob Lynch.  
25 DR. LYNCH: Yes.

Page 37

1 MS. BRUCE: Pete White.  
2 MR. WHITE: Yes.  
3 MS. BRUCE: David Gamble.  
4 MR. GAMBLE: Yes.  
5 MS. BRUCE: David Branecky.  
6 MR. BRANECKY: Yes.  
7 MS. BRUCE: Jim Haught.  
8 MR. HAUGHT: Yes.  
9 MS. BRUCE: Sharon Myers.  
10 MS. MYERS: Yes.  
11 MS. BRUCE: Gary Collins.  
12 MR. COLLINS: Yes.  
13 MS. BRUCE: Montelle Clark.  
14 MR. CLARK: Yes.  
15 MS. BRUCE: Laura Lodes.  
16 MS. LODES: Yes.  
17 MS. BRUCE: Motion passed.  
18 (Item Number 5D Concluded)  
19 ITEM NUMBER 5E  
20 MS. BOTCHLET-SMITH: The  
21 next item on the Agenda is Number  
22 5E. OAC 252:100-2, Incorporation by  
23 Reference; and Appendix Q,  
24 Incorporation by Reference.  
25 Ms. Nancy Marshment of our

Page 38

1 staff will be giving the  
2 presentation.

3 MS. MARSHMENT: Good  
4 morning, Madam Chair, Members of the  
5 Council, ladies and gentlemen. I am  
6 Nancy Marshment, an Environmental  
7 Programs Specialist with the Air  
8 Quality Division.

9 The Department is proposing to  
10 clarify language in Subchapter 2,  
11 Incorporation by Reference to better  
12 connect its references to Appendix  
13 Q.

14 In addition, the Department is  
15 proposing to revoke the current  
16 Chapter 100, Appendix Q,  
17 Incorporation by Reference, and  
18 adopt a new Appendix Q. This  
19 proposal is part of the annual  
20 update of Title 40, Code of Federal  
21 Regulations, Incorporation by  
22 Reference in Chapter 100.

23 Today is the second time the  
24 staff has presented this proposal to  
25 the Council. No additional changes

Page 39

1 have been made to Appendix Q. I  
2 will review the changes made to  
3 Subchapter 2 shortly.

4 The update would incorporate  
5 those federal regulations listed in  
6 Appendix Q as they existed on  
7 December 1, 2010, and any amendments  
8 to standards listed would be also  
9 incorporated.

10 In your folder, once again, is  
11 a one-page document showing the  
12 changes on the first and last pages  
13 of Appendix Q. Staff felt that this  
14 unofficial version with all changes  
15 clearly identified would be helpful  
16 for discussion purposes, since the  
17 proposed new appendix does not show  
18 the changes. This same document has  
19 been placed on the hand-out table  
20 for distribution.

21 As has been explained  
22 previously, the Oklahoma Rules on  
23 Rulemaking dictate the procedure of  
24 revoking the old and creating an  
25 entirely new appendix. No other

Page 40

1 changes are being made to the  
2 remainder of the document. In an  
3 effort to reduce the use of paper,  
4 staff did not include copies of  
5 those pages in the handout. The  
6 entire Appendix is, however,  
7 included in your previously mailed  
8 packets and is available on the  
9 website.

10 In your packets, you may have  
11 noticed an additional page at the  
12 end of the revoked Appendix Q  
13 document title GP-ASN/SNF  
14 Authorization 2010-199-0. Please  
15 disregard that page, which was  
16 erroneously included in the packet,  
17 and has nothing to do with the rule  
18 proposal. I believe it was picked  
19 up off the copier.

20 The following 40 CFR rules are  
21 being proposed for incorporation by  
22 reference in Appendix Q. 40 CFR  
23 Part 63, Subpart BBBBBBB, National  
24 Emission Standards for Hazardous Air  
25 Pollutants for Area Sources,

Page 41

1 Chemical Preparations Industry; and  
2 40 CFR Part 63, Subpart DDDDDDD,  
3 National Emission Standards for  
4 Hazardous Air Pollutants for Area  
5 Sources, Prepared Feeds  
6 Manufacturing.

7 Also, the titles for two  
8 subparts have been modified to  
9 reflect more precisely the titles as  
10 they appear in the Code of Federal  
11 Regulations. Those changes are also  
12 shown on your handout. That's Part  
13 63, CCCCCC, just changing the  
14 wording slightly and the same in  
15 Part 64. Instead of saying all  
16 subparts, it will say all sections.

17 In addition to the these  
18 changes, the update would bring in  
19 changes to 40 CFR Part 63, Subpart  
20 ZZZZ, National Emission Standards  
21 for Hazardous Air Pollutants for  
22 Stationary Reciprocating Internal  
23 Combustion Engines that make the  
24 NESHAP applicable to area sources.  
25 EPA estimated that this change --

Page 42

1 the standard change resulted in an  
 2 additional 330,000 engines becoming  
 3 subject to the NESHAP nationwide.  
 4 The Department expects that  
 5 thousands of these engines are  
 6 located in Oklahoma.

7 One of the changes to Section  
 8 100-2-3 would move the incorporation  
 9 date from the Appendix into the  
 10 actual rule governing the chapter --  
 11 the rule governing subchapter. It  
 12 would also provide that Appendix Q  
 13 could specify a different  
 14 incorporation date for a particular  
 15 subpart or section. This would be  
 16 helpful if, for instance, the  
 17 Department wished to delay its  
 18 implementation of the NESHAP  
 19 requirements in Subpart ZZZZ for  
 20 engines at area sources.

21 You may recall that the  
 22 proposal presented at the last  
 23 Council meeting suggested modifying  
 24 the Purpose language in 100-2-1 from  
 25 incorporation by reference of

Page 43

1 applicable parts of 40 CFR to the  
 2 more generic federal regulations.  
 3 Mr. Haught expressed concern about  
 4 the implications of broadening the  
 5 potential scope of the subchapter.  
 6 Staff concurs that a change to cover  
 7 a theoretical need to someday -- to  
 8 someday incorporate some other  
 9 federal regulation into Air Quality  
 10 Rules is unnecessary.

11 Notice for this rule was  
 12 published in the Oklahoma Register  
 13 on December 15, 2010 for these  
 14 proposed changes. The Notice  
 15 requested written comments from the  
 16 public and other interested parties.  
 17 No comments have been received as of  
 18 today.

19 Staff is requesting the  
 20 Council table the hearing for this  
 21 rulemaking until the Department is  
 22 certain it has adequate resources to  
 23 assume delegation for any additional  
 24 federal standards.

25 Thank you.

Page 44

1 MR. TERRILL: Let me -- I  
 2 apologize to the Council for  
 3 bringing this. I didn't -- this  
 4 slipped through or we never would  
 5 have Noticed this. But after we  
 6 had, we needed to move forward and  
 7 bring it to you all. This is part  
 8 of what we're concerned about  
 9 relative to the fee schedule that  
 10 you all just passed. So I'd like  
 11 for you all to table this until we  
 12 know for sure that this is going to  
 13 be -- you all were the easy part,  
 14 believe it or not. The hard part is  
 15 going to be getting it through the  
 16 Board and then getting it through  
 17 the legislature. So I apologize  
 18 that I didn't catch this before we  
 19 Noticed it or we wouldn't have ever  
 20 brought it back to you. But we did,  
 21 so I'd like for you to table it  
 22 because it goes with what I said all  
 23 along and that is we've got to have  
 24 the ability to do this work and  
 25 without that it kind of -- if we

Page 45

1 don't get the fees then we have to  
 2 bring this back at some point and  
 3 ask for it to be sent back to EPA  
 4 anyway.

5 MR. WHITE: I move we table  
 6 it.

7 MS. BOTCHLET-SMITH: Any  
 8 discussion?

9 MR. HAUGHT: Yeah. I had a  
 10 question first. You know, since  
 11 this body did vote to move forward  
 12 with the fee increase, do you  
 13 foresee if we table this and these  
 14 federal regulations become  
 15 applicable to state sources that any  
 16 of the permit holders or any of the  
 17 affected sources are going to be  
 18 disadvantaged by not having the  
 19 state be involved?

20 MR. TERRILL: They would be  
 21 long-term. Short-term EPA is not  
 22 looking to pick up any additional  
 23 work. I thought about that and, I  
 24 think, that to be true to what I  
 25 have said all along relative to our

Page 46

1 ability to be able to do this work  
 2 we've got to recommend not to accept  
 3 this, but I don't think it'll have  
 4 any implications on any of our  
 5 sources. I'm still reasonably  
 6 confident that we'll figure out  
 7 either through another mechanism or  
 8 approval through the legislature of  
 9 what we did today that we'll get  
 10 these. And I think it's about a  
 11 50/50 shot to tell you the truth,  
 12 getting it through, but I don't  
 13 think it will affect our other  
 14 sources. But if in the event we get  
 15 into July and we're not going to get  
 16 any increase, then we will have to  
 17 figure out what can we do, what can  
 18 we implement, what can we accept,  
 19 that we haven't and what can we just  
 20 say we're not going to be able to do  
 21 that and we'll just have to make a  
 22 call based on what it is that we  
 23 haven't accepted delegation for yet.  
 24 MR. HAUGHT: The philosophy  
 25 of passing the fee increase that had

Page 47

1 maybe brought in the petroleum --  
 2 the gasoline stations this time and  
 3 some of thought that that may  
 4 stimulate -- push some activity  
 5 somewhere else; would that not apply  
 6 here if this body passed a fee  
 7 increase, you know, a proposal for a  
 8 fee increase and then pass this  
 9 workload on, would that give you  
 10 more -- I guess maybe some more  
 11 ammunition to the Agency to -- or  
 12 whoever would be involved that these  
 13 fees were needed?  
 14 MR. TERRILL: Yeah. I see  
 15 your point. I guess the difference  
 16 is we've already adopted by  
 17 reference the NESHAP that affected  
 18 the service stations. At least I  
 19 think we have. And, you know, your  
 20 point is well taken. I don't know  
 21 -- it's a call that you really don't  
 22 know for sure if it will help or  
 23 hurt your cause over at the  
 24 legislature. I don't know. I was  
 25 just trying to be true to what we

Page 48

1 had said from the beginning that the  
 2 whole purpose of these additional  
 3 fees was for us to figure out how we  
 4 would implement the area source MACT  
 5 program across the state for all of  
 6 the areas source MACTs and if we  
 7 didn't have a way to do that then we  
 8 would have to not accept the  
 9 delegation. So I'm just trying to  
 10 be true to that. I'm not going to  
 11 fall, you know, I'm not going to  
 12 kick and scream either way if you  
 13 decide to pass this.  
 14 MR. HAUGHT: I'm not -- I  
 15 think we can table it at this point.  
 16 But at some point in the future what  
 17 I don't want is for the regulated  
 18 community who are trying to comply  
 19 to try to comply -- to try to do  
 20 something and have the state and the  
 21 feds both saying, you know, point in  
 22 the other direction, and putting the  
 23 burden on those people who are  
 24 trying to do the right thing.  
 25 MR. TERRILL: Right.

Page 49

1 MR. HAUGHT: And so that's  
 2 a concern long-term that smaller  
 3 people, businesses, people that are  
 4 trying to comply don't get to be the  
 5 -- something doesn't have to come to  
 6 a head with one of those being an  
 7 enforcement issue or something  
 8 before this comes to a head.  
 9 MR. TERRILL: Yeah. The  
 10 chances of EPA looking at one of  
 11 these sources is pretty slim.  
 12 They've got so many other things  
 13 that they're working on even at the  
 14 regional level that until they see  
 15 that there is an issue within a  
 16 state they're not going to -- it's  
 17 not going to be on their agenda or  
 18 their radar to come take a look at  
 19 this -- at that particular issue.  
 20 If we didn't, long-term, then like I  
 21 said before they've got a guidance  
 22 document in place that -- where they  
 23 figure out how they're going to do  
 24 that work.  
 25 I agree with you, Jim, though.

Page 50

1 Our plan is once we know for sure  
 2 what our situation is relative to  
 3 the funding that we're going to put  
 4 together and making the assumption  
 5 that we get something in July that  
 6 we'll put together an internal plan  
 7 to do the outreach on all these  
 8 sources, then we'll come back to the  
 9 Council at the next available  
 10 Council meeting and pick up all of  
 11 those area sources that we've tabled  
 12 and have come -- EPA has passed  
 13 along for us to accept delegation  
 14 for and do those as a package and  
 15 then have a -- at least an initial  
 16 plan on how we're going to go about  
 17 implementing those throughout the  
 18 state.

19 MS. LODES: I know there is  
 20 always -- there's a schedule as to  
 21 when we can -- if we pass something,  
 22 as to when we can reopen it. Is  
 23 there any advantages to us passing  
 24 this today and tying it to passage  
 25 of the fee increase? Or could we

Page 51

1 even do that?

2 MR. TERRILL: Well --

3 MS. LODES: Or are we just  
 4 better off tabling it until you get  
 5 the fees?

6 MR. TERRILL: I think we're  
 7 better off tabling it at this point  
 8 because I'd hate that would --  
 9 because that kind of looks like a --  
 10 it depends on who's looking at it.

11 I understand what you're saying but  
 12 there could be some folks that look  
 13 at it as a threat or -- I don't  
 14 want to cloud the issue. I'd prefer  
 15 you table it but I'm not going to --

16 MS. LODES: Okay.

17 MS. BOTCHLET-SMITH: I  
 18 don't think tabling it today would  
 19 prevent us from waiting a year to  
 20 look at this.

21 MS. LODES: I didn't know  
 22 if we waited to pass it until after  
 23 we know about the fees and if we do  
 24 it in July, does that then mess up  
 25 future years as to when we can open

Page 52

1 it and look at it?

2 MS. BOTCHLET-SMITH: That's  
 3 when we do our IBRs in October so --

4 MS. LODES: Okay.

5 MS. BOTCHLET-SMITH: -- she  
 6 has a point. We might end up having  
 7 to wait until October to bring it up  
 8 to catch anything new or just adopt  
 9 a new schedule.

10 MS. LODES: And that was my  
 11 only concern there. I mean we've  
 12 already moved into this one so  
 13 that's starting to throw off our  
 14 schedule.

15 MR. TERRILL: And we may  
 16 want to do that. That wouldn't  
 17 prevent us though from starting in  
 18 July to look at the MACTs and what  
 19 we need to do with the sources that  
 20 are affected, so that we start  
 21 implementing. Because the feds are  
 22 -- it's a federal requirement  
 23 anyway. So if we know we're going  
 24 to pick it up by reference we can go  
 25 ahead and start planning and working

Page 53

1 with those facilities as they ask us  
 2 to, to get clarification on what  
 3 they're supposed to do and start the  
 4 ball rolling for us to -- especially  
 5 with the big ones like the engine  
 6 rule, start figuring out how we're  
 7 going to help the sources comply.  
 8 So I think we can start that work  
 9 even in July.

10 MS. LODES: Well, because  
 11 that's what the --

12 MR. TERRILL: You make a  
 13 good point.

14 MS. LODES: The engine rule  
 15 kicks in in 2013 for everybody.

16 MR. TERRILL: Right.

17 MS. LODES: And if we keep  
 18 postponing this I don't -- I don't  
 19 want to sit there and say, well,  
 20 that's our (inaudible) and that's  
 21 that.

22 But if you think we're okay,  
 23 then that's fine. I don't have a --  
 24 I don't see an issue with tabling it  
 25 as long as it's not problem.

1 MR. HAUGHT: And I'm okay  
 2 with tabling it too, but I think  
 3 it's a bigger issue I was bringing  
 4 up, and that is who's going to get  
 5 caught in the middle if it's a  
 6 shoving match about who takes  
 7 authority because they're both short  
 8 on fees. Who ultimately could be at  
 9 risk on that?  
 10 MR. TERRILL: And --  
 11 MR. HAUGHT: And so I just  
 12 wanted to put that in as part of the  
 13 discussion going forward.  
 14 MS. LODES: Okay.  
 15 MR. TERRILL: And we'll see  
 16 if that doesn't happen. And if it  
 17 turns out that -- we've got to  
 18 figure out what we're going to do  
 19 with what we've got today that we'll  
 20 probably come back to the Council  
 21 with a -- it wouldn't be a  
 22 rulemaking it would just be a  
 23 discussion of here's how -- here's  
 24 what we think we're going to do and  
 25 here's how those sources would know

1 who they going to have to deal with  
 2 and the best way we can help. So  
 3 we'll come back and do that at the  
 4 Council meeting after July either a  
 5 proposal to adopt in October and  
 6 move forward or here's what we're  
 7 not going to be able to do and  
 8 here's what we think the  
 9 implications are.  
 10 MS. LODES: Okay.  
 11 MS. BOTCHLET-SMITH: I know  
 12 you've got a motion on the table  
 13 without a second. Typically, we at  
 14 least give the public an opportunity  
 15 to comment. So I'd like to do that  
 16 at this time and then you can call  
 17 for your second.  
 18 MS. LODES: That's fine.  
 19 MS. BOTCHLET-SMITH: Is  
 20 there anyone from the public wishing  
 21 to comment? Hearing none, now.  
 22 MS. LODES: Okay. I have a  
 23 motion on the -- to carry this  
 24 forward. Do I have a second?  
 25 MS. MYERS: I'll second it.

1 MS. LODES: I have a motion  
 2 and a second. Myrna, will you  
 3 please call the roll.  
 4 MS. BRUCE: Bob Lynch.  
 5 DR. LYNCH: Yes.  
 6 MS. BRUCE: Pete White.  
 7 MR. WHITE: Yes.  
 8 MS. BRUCE: David Gamble.  
 9 MR. GAMBLE: Yes.  
 10 MS. BRUCE: David Branecky.  
 11 MR. BRANECKY: Yes.  
 12 MS. BRUCE: Jim Haught.  
 13 MR. HAUGHT: Yes.  
 14 MS. BRUCE: Sharon Myers.  
 15 MS. MYERS: Yes.  
 16 MS. BRUCE: Gary Collins.  
 17 MR. COLLINS: Yes.  
 18 MS. BRUCE: Montelle Clark.  
 19 MR. CLARK: Yes.  
 20 MS. BRUCE: Laura Lodes.  
 21 MS. LODES: Yes.  
 22 MS. BRUCE: Motion passed.  
 23 (Item Number 5D Concluded)  
 24 (GREENHOUSE GAS RULES CONTINUED)  
 25 MS. BOTCHLET-SMITH: Okay.

1 We're ready to go back to the  
 2 greenhouse gas rules. But Laura,  
 3 we're going to need a motion --  
 4 since that was postponed to a  
 5 certain time we now need a motion  
 6 from the Council to bring that back  
 7 for discussion or presentation.  
 8 MS. LODES: Council, I need  
 9 a motion to bring the proposed  
 10 changes to Subchapter 8 -- 7 -- 1  
 11 and 3, since we didn't -- since it's  
 12 listed in the subject line on. Back  
 13 up for discussion.  
 14 MS. MYERS: I so move.  
 15 MS. LODES: I have a  
 16 motion. Do I have a second?  
 17 MR. GAMBLE: Second.  
 18 MS. LODES: I have a motion  
 19 and a second. Myrna, please call  
 20 the roll.  
 21 MS. BRUCE: Bob Lynch.  
 22 DR. LYNCH: Yes.  
 23 MS. BRUCE: Pete White.  
 24 MR. WHITE: Yes.  
 25 MS. BRUCE: David Gamble.

1 MR. GAMBLE: Yes.  
 2 MS. BRUCE: David Branecky.  
 3 MR. BRANECKY: Yes.  
 4 MS. BRUCE: Jim Haught.  
 5 MR. HAUGHT: Yes.  
 6 MS. BRUCE: Sharon Myers.  
 7 MS. MYERS: Yes.  
 8 MS. BRUCE: Gary Collins.  
 9 MR. COLLINS: Yes.  
 10 MS. BRUCE: Montelle Clark.  
 11 MR. CLARK: Yes.  
 12 MS. BRUCE: Laura Lodes.  
 13 MS. LODES: Yes.  
 14 MS. BRUCE: Motion passed.  
 15 MS. BOTCHLET-SMITH: Okay.  
 16 Cheryl, are you going to present the  
 17 new language or is Joyce?  
 18 DR. SHEEDY: Joyce was, but  
 19 you can do it if you would like.  
 20 MS. BRADLEY: Okay. I can.  
 21 DR. SHEEDY: You're sitting  
 22 right there with it.  
 23 MS. BRADLEY: I just want  
 24 to turn the machine on, right?  
 25 MS. SULLIVAN: I think I

1 98-Global Warming Potentials and  
 2 summing the resultant value for each  
 3 to compute a TPY CO2E.  
 4 DR. SHEEDY: Cheryl, may I  
 5 make just one correction? Just put  
 6 in the format that we're currently  
 7 using in Subchapter 1.  
 8 We would probably say,  
 9 quotation marks, I believe, carbon  
 10 dioxide equivalent emissions, end  
 11 quotation marks, are, quotation  
 12 marks, CO2E, close quotation marks,  
 13 means.  
 14 MS. BRADLEY: Okay.  
 15 DR. SHEEDY: And that's  
 16 just a format.  
 17 MS. BRADLEY: Okay.  
 18 MS. SULLIVAN: I didn't see  
 19 the end quote. I'm sorry. I  
 20 thought it was an arrow when I read  
 21 it and then took it out again.  
 22 MS. BRADLEY: Okay. So we  
 23 need --  
 24 MR. SINGLETARY: Quotations  
 25 after the 's' in "emissions".

1 moved it so it wouldn't be right in  
 2 Laura's face.  
 3 (Multiple Conversations)  
 4 MS. BOTCHLET-SMITH: Okay.  
 5 Just for the benefit of the Court  
 6 Reporter, Ms. Cheryl Bradley of the  
 7 Air Quality staff will be presenting  
 8 some additional language for this  
 9 rulemaking.  
 10 MS. BRADLEY: And to  
 11 address a comment from Council  
 12 Member Myers, we are proposing to  
 13 add to Subchapter 1, general  
 14 provisions, Section OAC 252:100-1-3,  
 15 Definitions, the following  
 16 definition.  
 17 Carbon dioxide equivalent  
 18 emissions (CO2E) means an amount of  
 19 GHG emitted and shall be computed by  
 20 multiplying mass amount of emissions  
 21 (TPY) for each of the six greenhouse  
 22 gases in the pollutant GHG by the  
 23 gasses associated Global Warming  
 24 Potential (GWP) published in Table  
 25 8-1 to Subpart (a) of 40 CFR Part

1 DR. SHEEDY: And you can  
 2 take the parentheses away from it.  
 3 MS. BRADLEY: Means --  
 4 DR. SHEEDY: Well, that's  
 5 not --  
 6 MS. BRADLEY: Okay.  
 7 DR. SHEEDY: That's how we  
 8 do it.  
 9 MS. BRADLEY: Okay. So  
 10 we've got --  
 11 DR. SHEEDY: End of quotes  
 12 after carbon dioxide equivalent  
 13 emissions.  
 14 MS. BRADLEY: There.  
 15 DR. SHEEDY: Now put an  
 16 "or".  
 17 MS. BRADLEY: Okay, o-r.  
 18 DR. SHEEDY: Now put some  
 19 more quotes.  
 20 MS. BRADLEY: And do we  
 21 need -- we don't need the  
 22 parentheses, do we?  
 23 DR. SHEEDY: Now take away  
 24 the parentheses.  
 25 MS. BRADLEY: Okay.

1 DR. SHEEDY: That's it.  
 2 MS. BRADLEY: That's it.  
 3 MS. MYERS: And then is the  
 4 rest of the definition staying in  
 5 those two different places that we  
 6 talked about?  
 7 MS. BRADLEY: Yes.  
 8 MS. MYERS: Okay. I'm good  
 9 with that.  
 10 MS. BOTCHLET-SMITH: Other  
 11 questions or discussion from the  
 12 Council? Any comments from the  
 13 public? Don Whitney.  
 14 MR. WHITNEY: Yes. I'm Don  
 15 Whitney from Trinity Consultants.  
 16 I'd like to suggest just a further  
 17 refinement of the definition. And  
 18 that's the units. The tons per year  
 19 is traditionally what we think of in  
 20 DEQ but there is other contexts, of  
 21 course. The federal standard is  
 22 metric tons and I would suggest  
 23 removing the TPY in the two places  
 24 would still work just as well as the  
 25 definition and not tie it in to any

1 one units of measure. It's just a  
 2 little cleaner. None of our other  
 3 pollutants have units in there. So  
 4 I'd suggest taking the tons per year  
 5 out two places where it is there.  
 6 The first TPY on the third line and  
 7 last take out "a TPY". Thank you.  
 8 MS. LODES: On that, is the  
 9 federal rule -- I think the Federal  
 10 Tailoring Rule is in English tons  
 11 per year, not metric tons per year.  
 12 Am I not correct on that?  
 13 DR. SHEEDY: I thought it  
 14 was. Yes.  
 15 MS. LODES: Okay.  
 16 MR. WHITNEY: Yes. But  
 17 greenhouse gas reporting is metric.  
 18 MS. LODES: Mandatory  
 19 reporting rules in metric.  
 20 MR. WHITNEY: Yes.  
 21 MS. LODES: The Tailoring  
 22 Rule is in, which is what this is  
 23 subject to, is in English.  
 24 MR. WHITNEY: Well --  
 25 DR. SHEEDY: Uh-huh. And

1 let's don't, for goodness sakes, put  
 2 them in the same terms.  
 3 MR. WHITNEY: Who?  
 4 DR. SHEEDY: EPA.  
 5 MS. LODES: So that's what  
 6 we're adding. I think -- I don't  
 7 remember how it is exactly in the  
 8 Tailoring Rule which is what we're  
 9 trying to incorporate here, but I  
 10 think this is what's in the  
 11 Tailoring Rule. Am I right on that?  
 12 DR. SHEEDY: Yes. Yes.  
 13 MS. LODES: Okay.  
 14 MS. BOTCHLET-SMITH: Any  
 15 other comments from the public?  
 16 Discussion from the Council?  
 17 MR. COLLINS: Are we going  
 18 to remove that tons per year --  
 19 MS. BOTCHLET-SMITH: Rob,  
 20 are you looking that up?  
 21 MR. COLLINS: I don't have  
 22 the Tailoring Rule here.  
 23 MR. SINGLETARY: I'm  
 24 checking.  
 25 DR. SHEEDY: No, we don't

1 do that.  
 2 MS. BRADLEY: Have we got  
 3 that Tailoring Rule?  
 4 DR. SHEEDY: No. I'm  
 5 sorry; I didn't bring a copy of the  
 6 Federal Register. But I do think  
 7 we're pretty much --  
 8 MR. BRANECKY: I think what  
 9 Mr. Whitney is saying is if you  
 10 remove the TPY then it's --  
 11 irregardless of what the units are  
 12 this is going to cover it. You're  
 13 going to have MACT -- you're talking  
 14 about mass amount of emissions  
 15 irregardless of whether it's metric  
 16 or English this is going to cover  
 17 it.  
 18 MS. LODES: And that makes  
 19 sense. My only question would be do  
 20 we cause a problem as to which units  
 21 it should be in for the Tailoring  
 22 Rule, if the Tailoring is in English  
 23 and the mandatory reporting rule is  
 24 in metric.  
 25 DR. SHEEDY: Well, would it

Condensed Transcript

Page 66

1 be --  
2 MS. LODES: Which is  
3 incredibly confusing to begin with.  
4 DR. SHEEDY: Would it --  
5 MR. BRANECKY: Use whatever  
6 is applicable.  
7 DR. SHEEDY: You know, it  
8 would be defined by the fact that  
9 the threshold levels in the  
10 Tailoring Rule are in tons -- you  
11 know, just regular tons per year.  
12 MR. HAUGHT: So if that's  
13 the way it's written in Subchapter  
14 8, is this with the TPY in there  
15 then that would be appropriate. I  
16 think the problem would be to put  
17 this in Subchapter 1 and then later  
18 on it refers to something else.  
19 DR. SHEEDY: Yes. Because  
20 Subchapter 1 applies to the whole  
21 chapter --  
22 MR. HAUGHT: Subchapter 1  
23 applies across the board and if --  
24 and if the reporting does become  
25 part of the state rule in the

Page 67

1 future, then -- but the specific  
2 reference for 8 which is where the  
3 Tailoring Rule is does have the  
4 definition in there; does have the  
5 TPY in it --  
6 DR. SHEEDY: Uh-huh.  
7 MR. HAUGHT: -- without the  
8 metric implication here refers to  
9 the English.  
10 DR. SHEEDY: Okay. Yeah.  
11 MR. HAUGHT: Since we're  
12 not deleting the other --  
13 DR. SHEEDY: Right. We've  
14 left it in --  
15 MR. HAUGHT: -- I would be  
16 okay with it.  
17 MS. LODES: Yeah. I agree  
18 with Don. Let's just go ahead and  
19 take it out.  
20 DR. SHEEDY: Okay.  
21 MS. LODES: Because it  
22 doesn't really add value otherwise.  
23 DR. SHEEDY: And so then we  
24 need to take it out again down at  
25 the bottom.

Page 68

1 MS. BOTCHLET-SMITH: Okay.  
2 Any further questions, comments, or  
3 discussion?  
4 MS. LODES: Seeing no  
5 further questions or comments, the  
6 Agency has asked that we adopt this  
7 regulation and then we've got this  
8 change to it. Do I have a motion?  
9 MR. COLLINS: I'll make a  
10 motion that we accept the proposed  
11 amendments to OAC 252:100-8, 7, 3,  
12 and 1, General Provisions, and the  
13 changes presented to Chapter 1,  
14 Definition of Carbon Dioxide  
15 Equivalent and the changes  
16 distributed in the packet.  
17 MS. LODES: Okay. I have a  
18 motion. Do I have a second?  
19 MR. HAUGHT: I'll second  
20 it.  
21 MS. LODES: I have a motion  
22 --  
23 (Comment for clarification)  
24 MS. LODES: I have a motion  
25 and a second. Myrna, would you

Page 69

1 please call roll.  
2 MS. BRUCE: Bob Lynch.  
3 DR. LYNCH: Yes.  
4 MS. BRUCE: Pete White.  
5 MR. WHITE: Yes.  
6 MS. BRUCE: David Gamble.  
7 MR. GAMBLE: Yes.  
8 MS. BRUCE: David Branecky.  
9 MR. BRANECKY: Yes.  
10 MS. BRUCE: Jim Haught.  
11 MR. HAUGHT: Yes.  
12 MS. BRUCE: Sharon Myers.  
13 MS. MYERS: Yes.  
14 MS. BRUCE: Gary Collins.  
15 MR. COLLINS: Yes.  
16 MS. BRUCE: Montelle Clark.  
17 MR. CLARK: Yes.  
18 MS. BRUCE: Laura Lodes.  
19 MS. LODES: Yes.  
20 MS. BRUCE: Motion passed.  
21 MS. BOTCHLET-SMITH: Okay.  
22 (Item Number 5E Concluded)



# Myers Reporting

Sheet 1 Page 1

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF OKLAHOMA

\* \* \* \* \*

TRANSCRIPT OF PROCEEDINGS  
OF THE AIR QUALITY COUNCIL MEETING  
ITEM 5F  
ON JANUARY 19, 2011, AT 9:00 AM  
IN OKLAHOMA CITY, OKLAHOMA

\* \* \* \* \*

MYERS REPORTING SERVICE  
Christy Myers, CSR  
P.O. Box 721532  
Oklahoma City, Oklahoma 73172-1532  
(405) 721-2882

# Myers Reporting

Sheet 2 Page 2

## PROCEEDINGS

### ITEM NUMBER 5F

MS. BOTCHLET-SMITH: The next Item on the Agenda is Number 5F, OAC 252:110 Lead-Based Paint Management. This is Subchapter 1, General Provisions; Subchapter 5, Incorporation by Reference; and Subchapter 15, Additional Renovation, Repair, and Painting Requirements. Mr. Trevor Hammons of our Legal Division will give the staff presentation.

MR. HAMMONS: Good afternoon, Madam Chair, Members of the Council, members of the public. I am Trevor Hammons and I am an environmental attorney for the Air Quality Division.

As I talked to you at the previous meeting, part of those duties act -- are to act as Counsel

Page 3

1 for the Air Toxics Group, which runs  
2 the lead-based paint program for the  
3 state of Oklahoma.  
4 Today's staff is going to ask  
5 you to adopt our changes to OAC 252  
6 Chapter 110, which is the lead-based  
7 paint rules to specifically adopt the  
8 Federal Lead Renovation, Repair, and  
9 Painting Rule, henceforth known as  
10 the RRP Rule. The adoption of the  
11 RRP Rule will allow the state to  
12 receive delegation from EPA to run  
13 the program in the state.  
14 What is the RRP Rule? First  
15 and foremost this is not a rule that  
16 we have developed. It is the law of  
17 the land. It is currently in  
18 effect. It is the EPA rule as  
19 currently enforced and in effect in  
20 the State of Oklahoma. The question  
21 is who will be administering and  
22 enforcing the rule, either us or EPA.  
23 And, in fact, there are firms  
24 already in the state of Oklahoma  
25 performing this type of work that are

Page 4

1 certified by EPA.  
2 The RRP Rule establishes  
3 accreditation, training,  
4 certification, and recordkeeping  
5 requirements as well as workplace  
6 standards for persons performing  
7 renovations for compensation in  
8 certain targeted housing and child  
9 occupied facilities.  
10 Essentially, the goal of this  
11 rule is to protect children from the  
12 hazards of lead-based paint. It's an  
13 additional tool that we have in  
14 addition to our lead-based paint  
15 activities program that further  
16 protects children from the hazards of  
17 lead-based paint.  
18 We are changing -- we're asking  
19 you to approve essentially,  
20 incorporating by reference the  
21 provisions of 40 CFR 745 Part 83 and  
22 adding a new Subchapter 15 to our  
23 Title 110. The provisions that we  
24 will be proposing to incorporate by  
25 reference are specifically 745-82,

Page 5

1 the Applicability; 83, which is  
2 Definitions; 84, which is Information  
3 Distribution Requirements; 85, which  
4 is the Workplace Standards; 86, which  
5 is Recordkeeping and Reporting  
6 Requirements; 87, Enforcement and  
7 Inspections; 89, Firm Certification;  
8 90, Renovator Certification; and 91,  
9 Suspending, Revoking, or Modifying  
10 Individuals or Firm Certification.  
11 The new Subchapter 15 that  
12 we'll be adding to our rules, will  
13 be tailored to meet our existing  
14 training and certification  
15 requirements. We already have  
16 delegation under the Lead-based Paint  
17 Activities Rules. We will be  
18 tailoring this to meet those, that is  
19 slightly different than the federal  
20 program. However, the changes that  
21 we are proposing are no more and no  
22 less stringent than the current  
23 federal rules.  
24 There are some new fees  
25 associated with this program,

# Myers Reporting

Sheet 3 Page 6  
1 specifically, firm certification.  
2 These are the firms, every five  
3 years, have to certify and re-certify  
4 with the state, and will be required  
5 to pay \$300.00 every five years.  
6 This is the same amount that is  
7 proposed under the federal rules or  
8 is in effect under the federal rules,  
9 300 bucks every five years.  
10 The accreditation fees. That's  
11 the educational facility that will be  
12 accredited to teach these courses.  
13 They will be charged in accordance  
14 with our existing accreditation fees  
15 which are found at OAC 252:110-9-8.  
16 This is the accreditation fee that we  
17 use for the lead-based paint  
18 activities, the other part of our  
19 lead-based paint program.  
20 It is possible, depending upon  
21 the number of courses, that an  
22 educational facility seeks  
23 accreditation for that those  
24 accreditation fees will be more than  
25 the federal program. And just to be

Page 7  
1 clear it's not a fee increase.  
2 We're not asking to increase our fees  
3 for what we charge for accreditation  
4 but because there are new courses  
5 that will be accredited the actual  
6 cost of that accreditation will  
7 possibly be increased depending upon  
8 the number of courses.  
9 The proposed rule that you have  
10 in front of you was published in the  
11 Oklahoma Register on December 15,  
12 2010. We asked for written comments  
13 and none were received and the staff  
14 asks that you approve this into the  
15 Environmental Quality Board, the rule  
16 that you have before you. Do you  
17 have any questions?  
18 MS. BOTCHLET-SMITH: Do we  
19 have any questions from the Council?  
20 Sharon.  
21 MS. MYERS: Does this apply  
22 to your local handyman that goes and  
23 does different things for people on a  
24 small scale?  
25 MR. HAMMONS: There is a --

Page 8  
1 in the rule there is an exception  
2 for -- let me get to that -- for  
3 minor -- under 252:110-15-1, Minor  
4 Repair and Maintenance Activities.  
5 That is not your, hey, I want to get  
6 this fixed in my house. This is  
7 child targeted housing -- excuse me.  
8 Targeted housing which is, I believe,  
9 pre-1978 -- somebody correct me if  
10 I'm wrong -- housing where it's the  
11 same standard as the lead-based paint  
12 activities program where you do  
13 remediations. So basically, it is  
14 the minor repair, anything that is  
15 above that done for compensation,  
16 would be subject to this rule, and  
17 is in fact subject to the rule. And  
18 I want to be very clear that this is  
19 not something that we are wanting to  
20 do. This is the law anyway. It's  
21 whether we can provided customer  
22 service to the people in Oklahoma.  
23 The firms that do renovations, if  
24 they have a problem either they call  
25 us or they call EPA in Dallas. And

Page 9  
1 we, of course, would prefer them to  
2 call us and we can facilitate that  
3 customer service and be able to work  
4 out these problems, I think, better.  
5 MS. MYERS: Okay. With all  
6 that in mind, for instance, I know  
7 of a couple of guys that do things  
8 like they'll go in and replace a  
9 door or whatever, that would fall  
10 into a little bit bigger than minor.  
11 I'm sure that they know nothing about  
12 this rule. What kind of outreach  
13 are you going to have and what kind  
14 of training is going to be offered  
15 for those people?  
16 MR. HAMMONS: This rule has  
17 actually been subject to some  
18 litigation. And there -- I believe  
19 the trade associations, and the home  
20 builders, renovators, this has been  
21 on their radar screen for quite some  
22 time. And, in fact, we had issues  
23 before after the hailstorm of the --  
24 the biblical hailstorm of a couple of  
25 years ago where people were afraid to

# Myers Reporting

Sheet 4 Page 10

1 replace windows because they thought  
2 that they may be subject to this  
3 rule. So I don't believe that it's  
4 a -- something that people are just  
5 going to wake up and go, oh, what is  
6 this? I believe that it's been out  
7 there in the press, and in the news,  
8 and in the trade associations.

9 MS. MYERS: Well, I promise  
10 there is going to be some of the  
11 smaller operators that are not going  
12 to know anything about it.

13 MR. HAMMONS: Absolutely.  
14 And that's one of the main reasons  
15 why we want this program. Because  
16 now if they call us we can help them  
17 all that we can, but as far as rules  
18 and actually really getting in to  
19 help, they have to call Dallas. If  
20 they call us, we can help them and  
21 kind of do that education. I  
22 believe we've been doing that anyway.

23 MS. MYERS: Okay. I've got  
24 a couple of other questions and  
25 comments.

Page 11

1 MR. HAMMONS: Yes, ma'am.  
2 MS. MYERS: Again,  
3 definitions --

4 MR. HAMMONS: Yes, ma'am.  
5 MS. MYERS: -- if you're  
6 going to use this as a rule to try  
7 to reach some of those people who  
8 are not having access to the Federal  
9 Register or the federal rules,  
10 "target housing in child occupied  
11 facilities" should be defined in here  
12 with the other definitions in my  
13 opinion. Reading through this it has  
14 all of the information about fees to  
15 be certified, what are the penalties  
16 if they're not?

17 MR. HAMMONS: If they're  
18 not, there are actually -- under our  
19 existing lead-based paint rules,  
20 there are no penalties by rules for  
21 not complying with the Lead-Based  
22 Paint Act other than the statutory --  
23 statutory authority that we have  
24 under Title 27A, and that can be up  
25 to \$10,000.00 per day. That hasn't

Page 12

1 happened. But there is no --  
2 throughout our rules and 110 it's --  
3 we can -- we have the power to  
4 revoke their license under lead-based  
5 paint activities, to pull their  
6 certification, but as far as  
7 penalties there are none within any  
8 part of our rules, other than that  
9 general statutory authority.

10 MS. MYERS: Okay.  
11 MR. HAMMONS: And I believe  
12 targeted housing is defined -- is  
13 incorporated by reference within this  
14 proposed rule.

15 MS. MYERS: If you  
16 incorporate it by reference though  
17 it's not going to be in the Oklahoma  
18 rules. And if we have a small  
19 contractor who's doing home  
20 maintenance and repair, is just a  
21 regular handyman, he's not going to  
22 have that reference available.

23 MR. HAMMONS: Yes. So,  
24 ma'am, are proposing under  
25 definitions the --

Page 13

1 MS. MYERS: Target housing  
2 and child occupied facilities be  
3 defined.

4 MR. HAMMONS: -- targeted  
5 housing includes pre-1978, rather  
6 than incorporate it as we do under  
7 5-1.

8 MS. MYERS: Yes.  
9 MR. WARD: And that's fine.  
10 We can -- we would -- we could  
11 insert it right there in definitions.

12 MR. HAMMONS: Yes. That  
13 would be fine under 15-1. You could  
14 do that.

15 That was Mr. Randy Ward, by  
16 the way, Air Toxics Group.

17 MS. BOTCHLET-SMITH: Thank  
18 you, Randy. Do you already have  
19 that language prepared or are you  
20 going to require a short recess to  
21 throw it up on the screen for us?

22 MR. WARD: I think we need  
23 a short recess, don't we?

24 MR. HAMMONS: It won't take  
25 very long at all to get that.

# Myers Reporting

Sheet 5 Page 14

1 MS. BOTCHLET-SMITH: Laura,  
2 can we -- ten minutes?  
3 MS. LODES: Yeah. Let's do  
4 -- let's see what else do we have  
5 after this?  
6 MS. BOTCHLET-SMITH:  
7 Director's Report. We really can't  
8 postpone this, because it's the last  
9 item in the hearing. So we'll just  
10 have a take a recess.  
11 MS. LODES: Okay.  
12 MR. BRANECKY: Can we do  
13 the Director's Report?  
14 MS. BOTCHLET-SMITH: It's  
15 not part of the hearing. So we  
16 would have to close out the hearing.  
17 MR. BRANECKY: Oh, I see.  
18 MR. HAUGHT: Can we do a  
19 short recess and hear the Director's  
20 Report at the same time during the  
21 recess?  
22 MR. BRANECKY: That's what I  
23 was saying, can we do that?  
24 MS. BOTCHLET-SMITH: Do you  
25 want to go off record?

Page 15

1 MR. TERRILL: That's fine.  
2 I don't really have that much any  
3 way.  
4 (Reporter Comment)  
5 MS. BOTCHLET-SMITH: Okay.  
6 So I guess we'll recess the hearing  
7 --  
8 MS. LODES: There's a  
9 question from back there.  
10 MS. BOTCHLET-SMITH: I know  
11 you wanted to make a comment on this  
12 rule and you will have an opportunity  
13 to do that. Are you on a time  
14 constraint?  
15 MR. BROWN: Well, to some  
16 degree but those comments may effect  
17 whether we need a recess or not.  
18 MS. BOTCHLET-SMITH: Okay.  
19 Well, why don't we take comments from  
20 the public then, before we do a  
21 recess. That's a good point.  
22 MS. LODES: You can work on  
23 it while we're going ahead and doing  
24 comments and if we need to add that  
25 into it, then we can see about doing

Page 16

1 the recess.  
2 MS. BOTCHLET-SMITH: Thank  
3 you, very much. Are there any other  
4 questions from the Council? Okay.  
5 Mr. Neil Brown.  
6 MR. BROWN: My name is Neil  
7 Brown with Envirohome, Incorporated.  
8 That's my company I've had  
9 since 1995. I've had the privilege  
10 of working with Randy Ward and his  
11 staff for many years and they do an  
12 excellent job. They run the lead  
13 program that was taken over by the  
14 state from EPA in 1996 when the  
15 original lead paint rules came out  
16 from EPA that year, and have taught  
17 lead-based paint classes in Oklahoma  
18 since 1996. I'm currently the only  
19 instructor for those lead-based paint  
20 classes in the state and have been  
21 for many years. Those from '96 have  
22 to do with doing lead-based paint  
23 abatements, lead-based paint  
24 inspections and lead-based paint risk  
25 assessments.

Page 17

1 There are four classes. Lead  
2 abatement supervisor, lead-abatement  
3 worker, lead-abatement inspector, and  
4 lead-abatement risk assessor. Those  
5 classes go from two to four days in  
6 length.  
7 The new rule that came out and  
8 took effect April 22nd of this past  
9 year requires that essentially all  
10 contractors that work in housing  
11 built before '78, which targets  
12 housing, take a one-day class. It  
13 also requires that they get their  
14 firm or their company or agency  
15 certified. That's the \$300.00 fee  
16 that Trevor was talking about.  
17 We're talking about a major  
18 ramp-up here from going from  
19 approximately 70 certified firms and  
20 200 certified individuals, up to  
21 about 13,000 certified firms and  
22 about 17,000 certified individuals.  
23 About an 85 fold increase than what's  
24 being expected. I can make arguments  
25 both for and against accepting this

# Myers Reporting

Sheet 6 Page 18

1 program and taking it on from EPA.  
2 There's good reasons to do it and  
3 there's reasons not to do it. Part  
4 of that has to do with, you know,  
5 what other states are doing too.  
6         The original rule that came out  
7 in '96, over 80 percent of the  
8 states took the rule on. This new  
9 rule, almost 80 percent of the states  
10 have chosen at this point not to  
11 take the rule on and they have valid  
12 reasons for doing that. It's going  
13 to be a massive, massive upgrade.  
14 And my reading on the Rule Impact  
15 Statement, wow. I don't even know  
16 where to start on that. It's full  
17 of major problems. And I can go  
18 over it point by point, I just don't  
19 want to take up everybody's  
20 afternoon.

21         I'm one of the instructors for  
22 the RRP class; in fact, I taught one  
23 yesterday. The 200 people that have  
24 been in the program, and I've known  
25 them for years because they have to

Page 19

1 come back to my refreshers every  
2 year, they're used to being  
3 regulated; they're used to the  
4 program, no problems with them for  
5 the most part. We're talking about  
6 a community that is newly regulated.  
7 They are fighting this tooth and  
8 toenail for the most part. It  
9 applies to essentially all handymen,  
10 Sharon, all painters, remodelers,  
11 plumbers, electricians, HVAC  
12 companies, roofers, flooring  
13 companies, window companies, siding  
14 companies, guttering companies,  
15 almost anybody that works in housing.  
16 My numbers are based on what Kansas  
17 came up with a year ago when I went  
18 to a meeting. And we have more  
19 population than they do. So I had  
20 extrapolated -- we're talking about  
21 13,000 approximate firms and 17,000  
22 individuals need to go through  
23 training. My estimation is, so far,  
24 and this rule came out April 22nd of  
25 last year, EPA wanted everybody to be

Page 20

1 certified by then. EPA wasn't ready;  
2 they gave everybody until the end of  
3 the year, this past December 31st.  
4 My estimation is 20 -- maybe 25  
5 percent of all people that need this  
6 class in Oklahoma, probably -- and  
7 also around the United States -- have  
8 taken it, a very resistant community.  
9 Primarily most of those people,  
10 except for HVAC, plumbers, and  
11 electricians who are used to being  
12 licensed, the rest of them pretty  
13 much unregulated all their lives.  
14 And now we're asking them to come to  
15 a class and pay money for that and  
16 then send \$300.00 to EPA and I --  
17 when I teach a class like I did  
18 yesterday, I spend the first two  
19 hours of the eight-hour class, just  
20 calming them down and letting them  
21 know the reason for this class.

22         It's very important actually.  
23 There's two groups of people that  
24 still poison children with lead in  
25 this country; contractors and

Page 21

1 parents. Not on purpose but that's  
2 what's happened. So we need their  
3 buy-in. This is an important  
4 program. Do I believe that we  
5 should take this on? I really have  
6 mixed feelings about this. There's  
7 good reasons to do it. One reason  
8 is about four million dollars about  
9 every five years. Probably the  
10 primary reason we want to take this  
11 on. Are we really going to ramp up  
12 that much though to provide the  
13 customer service? Wow. The increase  
14 of staff to do this and do it  
15 properly; to ensure compliance; to  
16 get their buy-in; and to do any kind  
17 of enforcement, I don't see it  
18 happening. It would take an immense  
19 amount of personnel to be added to  
20 Randy's staff to even begin to do  
21 this. EPA is struggling like crazy  
22 across the country to try to do  
23 this. They've done no enforcement so  
24 far. I expect them to wait a year,  
25 or two or three before they do any

# Myers Reporting

Sheet 7 Page 22

1 and it will be minor. They will  
2 make sure it hits the front page of  
3 the paper so that everybody else will  
4 be scared into the program. That's  
5 how they did it in '96.

6 So, you know, I can go through  
7 point by point on the Rule Impact  
8 Statement; there are major issues I  
9 have with the rule changes themselves  
10 that we're talking about today. You  
11 know, it isn't -- it is more strict  
12 -- more stringent than the federal  
13 rule. There are several points in  
14 there that are more stringent. Part  
15 of this rule is to bring -- we're  
16 going to grandfather-in people that  
17 have been individually certified,  
18 that have come to class. We're not  
19 grandfathering-in those people that  
20 have already sent their \$300.00 to  
21 EPA, which they are required to do  
22 every five years. What this is  
23 asking them to do is within one year  
24 after DEQ takes on the program and  
25 gets approved they are asking them to

Page 23

1 get certified in Oklahoma which is  
2 going to require another \$300.00. So  
3 it's basically double jeopardy,  
4 within the same five year time frame,  
5 many of these companies have already  
6 sent their \$300.00 to EPA and now  
7 we're going to ask them in a year or  
8 two down the road to send \$300.00 to  
9 us. If we're going to do this,  
10 let's grandfather them in also.  
11 There's still plenty of people out  
12 there that's going to send us some  
13 money. You know, 75 or 80 percent  
14 of the people haven't done this yet,  
15 we need to encourage them to come in  
16 and be part of this program. It's  
17 very important. Now whether DEQ runs  
18 it or EPA, very important program.

19 Do we need to run this here?  
20 I don't know. But it really needs  
21 to go back to the drawing board.  
22 This thing needs to start from  
23 scratch. We need buy-in from the  
24 regulated community. We don't have  
25 hardly any of that yet. We need

Page 24

1 people sitting down that knows  
2 something about this and write this  
3 effectively. Let's make this good.  
4 No. Let's make this great. This is  
5 not ready for prime time.

6 Thank you, for your time.

7 MS. LODES: Don't run away.  
8 MR. BROWN: Okay.  
9 MS. LODES: We may have  
10 questions. Okay. I was trying to  
11 find where you said about the  
12 grandfathering-in on this. We don't  
13 usually -- in the past, the lead  
14 rule hasn't had a whole lot before  
15 the Council. This is the first time  
16 we've actually had this.

17 And then also you said that  
18 there's several places where it's  
19 more stringent than the federal  
20 standard?

21 MR. BROWN: Yeah. One of  
22 them is actually on the fees for  
23 accreditation.

24 MS. LODES: Okay.  
25 MR. BROWN: Trevor mentioned

Page 25

1 that and under the EPA rule,  
2 non-profits have their fees waived  
3 for accreditation. I teach at Metro  
4 Technology Center here in Oklahoma  
5 City and their fees were waived and  
6 there is no fee waiver in the  
7 current rule that we adopted in '96  
8 or this new amendment. So there is  
9 -- it is more stringent.

10 MS. LODES: I want to know  
11 where it is more stringent. So if  
12 there's non-profits and fees are  
13 waived, where are your other (in) on  
14 this. Because this is where I'm not  
15 -- I'll admit, I'm not as familiar  
16 with this, I haven't had to deal  
17 with it in detail before.

18 MR. BROWN: Right. Okay.  
19 Well, like I said it also requires  
20 firms to again pay \$300.00 before  
21 their five years is up.

22 MS. LODES: Okay. And  
23 that's --  
24 MR. BROWN: Do you want to  
25 see where that is?

# Myers Reporting

<p>Sheet 8 Page 26</p> <p>1 MS. LODES: Well, no. 2 That's talking about the 3 grandfathering-in. I think I found 4 where that was in here when I was 5 looking for it. And so I've got 6 that noted down. Where else was it? 7 So that's two fee places that you 8 said is more stringent than the 9 federal.</p> <p>10 MR. BROWN: Right. 11 MS. LODES: What other areas 12 is it that it's -- I mean is the 13 rule -- is it just fees that are 14 more stringent than the federal or is 15 there other parts of the rule that 16 are more stringent?</p> <p>17 MR. BROWN: The fees and 18 the grandfathering or not 19 grandfathering in --</p> <p>20 MS. LODES: Okay. 21 MR. BROWN: -- that's -- I 22 mean we're asking someone that's 23 already paid \$300.00 to again turn 24 around in a year or so and pay the 25 \$300.00 again --</p>	<p>Page 28</p> <p>1 there's just so many little issues 2 with this that I don't see how we 3 can fix this by taking a recess.</p> <p>4 MS. LODES: Okay. 5 MR. BROWN: In my opinion, 6 this needs to go back to the drawing 7 board. It can be done. It can be 8 done extremely well. This is not.</p> <p>9 MS. LODES: And I appreciate 10 --</p> <p>11 MR. BROWN: In my humble 12 opinion.</p> <p>13 MS. LODES: I appreciate you 14 coming. Because like I said usually 15 when we've had a lead rule in the 16 past, I don't remember the last time 17 we actually had anybody stand up and 18 make a comment.</p> <p>19 MR. COLLINS: And Laura, if 20 I may. So what are you -- what 21 would you request the Council -- what 22 action would you request that we 23 take?</p> <p>24 MR. BROWN: I would humbly 25 ask you to send this back to them</p>
<p>Page 27</p> <p>1 MS. LODES: Right. And 2 that's --</p> <p>3 MR. BROWN: -- to start 4 over essentially.</p> <p>5 MS. LODES: And that's kind 6 of part of the fees as far as that 7 grandfathering. So, that's --</p> <p>8 MR. BROWN: Right. 9 MS. LODES: -- so that's 10 two points that would need to be 11 changed.</p> <p>12 MR. BROWN: Right. 13 MS. LODES: So, yes, if you 14 want to point those out that would 15 be appreciated and we can see about 16 doing that -- see what we need to do 17 to clarify that for you.</p> <p>18 MR. BROWN: Yes. And 19 there's also some definitions that 20 are incorporated by reference and yet 21 again they are added later in 22 Subchapter 15, which when I read them 23 it looked to be identical. I don't 24 know how we're putting them in there 25 twice. I mean there's -- to me</p>	<p>Page 29</p> <p>1 and have them work with myself and 2 others in the regulated community to 3 make this really good. It's going 4 to take years to get the buy-in of 5 this community of people that do 6 painting. You know, this is firemen 7 that work on their off days and 8 paint houses. This is handymen that 9 do stuff. This is teachers that 10 paint houses in the summer.</p> <p>11 MR. COLLINS: So you're not 12 opposing the rule, you just want --</p> <p>13 MR. BROWN: Not per se. I 14 -- really -- there are some good 15 things from taking this rule on. 16 You know, it will bring more money 17 into DEQ, no doubt. It's a 18 potential big money maker. And that 19 stuff can come here or it can go to 20 EPA. But it's going to go 21 somewhere. I've got no problem with 22 that but let's make it good. Let's 23 figure out how to do compliance, how 24 to do enforcement.</p> <p>25 Oh, by the way, there is</p>

# Myers Reporting

Sheet 9 Page 30

1 enforcement in the federal reg. They  
2 can enforce this at \$37,500.00 per  
3 violation.

4 MR. BRANECKY: Is there any  
5 need -- I'm asking staff -- that we  
6 must pass this today? Is there any  
7 downfall if we don't; if we continue  
8 it to the next Council meeting?

9 MR. TERRILL: I think this  
10 falls under the category of no good  
11 deed goes unpunished. Because our  
12 whole purpose of bringing this, we  
13 get -- our staff gets a ton of calls  
14 about this and when you refer to EPA  
15 who promulgated the rule they can't  
16 answer them. So I can tell you  
17 right now, I've got no desire to  
18 implement a four million dollar  
19 program that's going to go do all  
20 this outreach. We don't -- that's  
21 not what we do. I mean all we're  
22 trying to do is make the best of a  
23 bad situation. So what we could do  
24 is we can go back and take a look at  
25 this but there is a very good chance

Page 31

1 you'll never see this rule back  
2 again, because we're not -- we don't  
3 have the time or the effort. I'm  
4 not interested in -- we're not going  
5 to get any FTEs from anywhere else  
6 to do this. So I'm sympathetic  
7 that, you know, if we had an  
8 unlimited number of resources we  
9 could look at doing this. But the  
10 chances of us coming back with a  
11 revamped rule that's going to  
12 incorporate all this stuff is slim to  
13 none. Having said that, it would be  
14 good to work with this gentleman to  
15 see if there is some way that we  
16 could come back with something. But  
17 I can't promise you that we're going  
18 to come back to it because we --  
19 that's the first that I had heard  
20 about 13,000 that would get four  
21 million and -- I mean that's not why  
22 we were doing this. We were doing  
23 it in order to be able to answer  
24 questions that we're getting from  
25 folks that EPA can't answer and that

Page 32

1 -- that's the problem with this.  
2 He's exactly right. EPA jumped into  
3 this without thinking -- their heart  
4 was in the right place, but their  
5 mind didn't follow up with a rule  
6 that made -- you know, that could  
7 work. And you're looking at a whole  
8 sector that never had been regulated  
9 before. And that's interesting,  
10 13,000. My goodness.

11 MR. BROWN: Mr. Terrill, I  
12 do believe this can be revamped but  
13 it's going to take a significant  
14 overhaul, if you guys want to do it.  
15 But, you know, if you're not ready  
16 to ramp up your staff -- because  
17 there is going to be a gazillion  
18 calls coming in from contractors and  
19 homeowners and tenants and landlords.  
20 I mean a significant ramp-up of  
21 staff. Then let's let EPA do this.  
22 They're not doing it well, but they  
23 are doing it and it is working  
24 slowly. Very slowly. It's going to  
25 take years to do, no matter who does

Page 33

1 it. But I'm willing to help if you  
2 guys are willing to let this go back  
3 and let's make it good. It can be  
4 done, but you're going to have to  
5 ramp up staff. If you don't want to  
6 ramp up staff, then let's let EPA do  
7 it.

8 MR. TERRILL: I don't have  
9 staff to ramp up. I just don't. I  
10 mean I don't have -- but let's do  
11 this. Randy, you've got similar --  
12 because I know the staff feels really  
13 strongly that we need to provide some  
14 kind of support for the community out  
15 there -- the folks that are trying  
16 to make this work. And so maybe we  
17 can figure out a compromise and we  
18 can do that without -- let's -- I  
19 think we do need to send it back  
20 though and for us to figure out what  
21 we can come back with that makes  
22 better sense.

23 I'm glad you -- these were  
24 good comments.

25 MR. BROWN: Thank you.

# Myers Reporting

Sheet 10 Page 34

1 MS. LODES: I really  
2 appreciate you coming.  
3 MR. BROWN: Thank you.  
4 DR. LYNCH: Can I throw  
5 something in there? I'm not sure  
6 this is an Air Quality issue, for  
7 one. This is primarily about dust,  
8 and homes, and children. So does  
9 this normally go in Air Quality  
10 Division or --  
11 MR. HAMMONS: Actually it  
12 has. I mean Air Toxics is obviously  
13 part of Air Quality. This Council  
14 in years past -- it's been a while -  
15 - has approved and sent through  
16 lead-based paint rules. And, in  
17 fact, if I'm not mistaken the hazard  
18 level for lead-based paint are also  
19 based -- there's some correlation  
20 with aerial adjustment that the  
21 hazard levels are based upon. So  
22 this is -- it doesn't fit very  
23 neatly but this is where it's fit  
24 before.  
25 MR. BROWN: Can I address

Page 35

1 that also? In many states, the lead  
2 program that came out in '96 and the  
3 new one that's come out last year is  
4 run by the State Health Department.  
5 Now I know that's not always our  
6 friend when we're over here but in  
7 actuality, the truth be told, that's  
8 probably where it actually belongs,  
9 but since it's here, let's do it  
10 right. Let's make it good. You  
11 know, I'm not suggesting that we send  
12 it over there. That's probably where  
13 it should be. It's a childhood  
14 poisoning issue. They have childhood  
15 lead poisoning prevention program  
16 there, but it is here and it can  
17 work, but it will require a lot more  
18 manpower. I can't even begin to  
19 tell you how much more. Yes. You  
20 have to make that decision. Is it  
21 worth it or not. It will bring in a  
22 lot more money, but you have to have  
23 the corresponding increase in  
24 manpower and put in a lot of effort  
25 in this. It's a massive program.

Page 36

1 Just huge.  
2 MR. BRANECKY: Well, that's  
3 -- from what I understand most of  
4 this is just following the EPA rule;  
5 right?  
6 MR. HAMMONS: And I wanted  
7 to address that, some of the things  
8 that Mr. Brown had commented upon.  
9 It is no more stringent than the  
10 federal rule other than the  
11 accreditation fees which are based  
12 upon our existing state rules. And  
13 that's just for the educational  
14 facilities of which there is one,  
15 Metro Tech, in the state of Oklahoma.  
16 But as far as the workplace standards  
17 and the requirements that these  
18 people are required to follow now, it  
19 is no more stringent than the federal  
20 rule.  
21 MR. BRANECKY: There are  
22 certain things you can't change or  
23 EPA's going to say --  
24 MR. HAMMONS: If we change  
25 it -- we don't get -- it's no longer

Page 37

1 a delegated program.  
2 MR. BRANECKY: Right.  
3 MR. HAMMONS: If we go back  
4 and start crafting our own  
5 renovation/repair rule, there is no  
6 delegation. That would be, I think  
7 essentially, a dual system where the  
8 state has one and the federal has  
9 the other and the supremacy clause  
10 says the federal law trumps. What  
11 we presented to you today, and it  
12 incorporates almost everything by  
13 reference, is the federal rule. And  
14 the Subchapter 15 is simply to tailor  
15 the accreditation and the firm  
16 certification fees that we needed to  
17 breakout separately. And I just want  
18 to reiterate that this is the law  
19 and it's not whether we like it or  
20 whether it's a good rule. It's the  
21 law and it's rather -- if EPA helps  
22 people or if the State of Oklahoma  
23 helps people, the handyman doesn't  
24 know what to do. I mean we get  
25 these calls anyway and that's what we

# Myers Reporting

Sheet 11 Page 38

1 do. We try to be receptive to our  
2 customers. And it's either the feds  
3 or it's us and that's what we're  
4 asking for.

5 MS. MYERS: Are the fees  
6 set by state law or is that a  
7 federal fee structuring --

8 MR. HAMMONS: That is  
9 straight out of the feds.

10 MR. WARD: Accreditation  
11 fees are set from 1996 --

12 MR. HAMMONS: Right.

13 MR. WARD: -- from the  
14 accreditation program that dates back  
15 to 1996.

16 MR. HAMMONS: And as far as  
17 the non-profit that was not included  
18 -- that was previously not  
19 incorporated into our rules. So the  
20 accreditation fee is what we had  
21 before and that's what we're basing  
22 the new accreditation on.

23 MR. BROWN: May I address  
24 the -- I'm taller than you.

25 When we took on the rule in

Page 40

1 poisoned with lead under the age of  
2 six. In the '90s -- early '90s that  
3 was about 8 percent. We've come  
4 along way. Without the buy-in of  
5 these contractors and parents we're  
6 not ever going to get rid of that  
7 last 1.4 percent which we really need  
8 to do.

9 Thank you.

10 MS. MYERS: I would like to  
11 say thank you for clarifying some of  
12 that and taking the time to be here  
13 today. We appreciate it.

14 MR. BROWN: My pleasure.  
15 Thank you.

16 MR. WARD: Okay. Randy  
17 Ward. I'm the Manager of the lead  
18 paint program here. A few of the  
19 things going back to what Neil said,  
20 Mr. Brown, the definitions, we  
21 included those in this section, even  
22 the ones that are already defined.  
23 That was just for clarity. And  
24 that's where we would put this  
25 definition of "target housing".

Page 39

1 '96, the original lead-based paint  
2 rule, we did make it more stringent  
3 here in Oklahoma. One example of  
4 that is EPA only requires a refresher  
5 class for those individuals every  
6 three years. Here in Oklahoma, we  
7 require it every year. Those 200  
8 people have to come and see me one  
9 day every year. And so making it  
10 more stringent I've got no problem  
11 with if that's what we want to do,  
12 to some degree and this rule is, you  
13 know, at a minimum in the fee  
14 section. I don't even have a major  
15 issue with that but let's call it  
16 what it is, you know. Let's do this  
17 right. Let's make it good for those  
18 contractors. Because it effects all  
19 of us too as homeowners, tenants,  
20 landlords. This rule is -- the  
21 reach on this is just astounding and  
22 it's going to affect us for the rest  
23 of our lives and it is an issue  
24 that, you know, 1.4 percent of all  
25 kids in the United States are still

Page 41

1 As to the number of firms,  
2 there aren't 13,000 nationwide yet.  
3 We don't have any idea how many. We  
4 have a couple of hundred and from  
5 the list that EPA has on their  
6 webpage, the -- the few hundred that  
7 are on there, we have no idea how  
8 many. So, yeah, it's going to -- it  
9 could be a big number. So what we  
10 had anticipated with that was that  
11 there would be some small outreaches,  
12 however, this rule has been in effect  
13 now for two years and the problem  
14 we've had is not in reaching people  
15 but in steering their complaints,  
16 questions, et cetera, to the right  
17 people. We get a call, it takes  
18 maybe five minutes to explain that we  
19 don't have this rule, we refer them  
20 to Dallas where the EPA staff is  
21 out-numbered by our staff, so there  
22 is no EPA program to handle this, I  
23 guess is what I'm saying. We did  
24 not anticipate a staffing increase  
25 for this. When you look at the

# Myers Reporting

Sheet 12 Page 42

1 number of firms, we don't have any  
2 idea how many of them there will be.  
3 That \$300.00 is for a five year  
4 registration. That's 60 bucks a  
5 firm. So 60 bucks a year if you  
6 spread it out over -- right. So  
7 \$300.00 for five. Right.

8 As for the grandfathering, we  
9 picked a year after delegation of the  
10 program. These people should have  
11 all been registered last April -- by  
12 last April. So assuming that they  
13 registered last March -- and there  
14 aren't very many within the state of  
15 Oklahoma that are registered --  
16 assuming that they paid their \$300.00  
17 in and we will not have delegation  
18 of this program until sometime at the  
19 end of the year, they would then  
20 have another year or so. There is a  
21 possibility that some of them might  
22 lose a year. And in that case we  
23 would gladly give them two years --  
24 we could make that change just right  
25 now, just two years -- it's -- it's

Page 43

1 -- so they are grandfathered but it's  
2 just they're not grandfathered for  
3 the full five years.

4 We couldn't figure out any way  
5 to grandfather them for the full five  
6 years because so many of them should  
7 already be registered, some of them  
8 could have been registered as early  
9 as last fall. So we just couldn't  
10 figure out a mechanism to say that  
11 -- you know, because we do have to  
12 have some ability to handle this  
13 influx of people. And it would all  
14 be electronic. There is no reporting  
15 requirement on the firms. All they  
16 have to do is register.

17 MR. HAUGHT: This seems to  
18 be kind of parallel and just a lot  
19 like the asbestos rules. And when  
20 you talk about where does the  
21 responsibility belong? You know, in  
22 Oklahoma there is as split  
23 responsibility agency in Oklahoma  
24 dealing with asbestos. How does this  
25 -- parallel this apportion of what

Page 44

1 we're going to do with the lead with  
2 what exists today with the asbestos  
3 rule, if you would.

4 MR. HAMMONS: Well I would  
5 say -- I'll take a shot. Just with  
6 asbestos we deal with the NESHAPs  
7 part -- I forget what it is, but  
8 with the notifications, with  
9 enforcement as far as, you know, if  
10 they're going to destroy a building,  
11 or a commercial building that may  
12 contain asbestos, they're supposed to  
13 notify us, we will do enforcement on  
14 that sort of thing. The Department  
15 of Labor will do the workplace  
16 standards, of their respirators, the  
17 tape, that sort of thing like that  
18 on the asbestos example.

19 Here you also have HUD and has  
20 certain responsibilities for  
21 lead-based paint. But as far as --  
22 I'm not sure exactly how those  
23 completely differ or a parallel  
24 example with asbestos, but what we do  
25 is simply, with lead-based paint

Page 45

1 activities, we have the accredited  
2 firms. The assessors/inspectors send  
3 in reports. Occasionally we will go  
4 onsite to make sure that everything  
5 is being done correctly as far as  
6 the workplace standards. This is  
7 just adding a subset that the feds  
8 have done -- a subset to that rule  
9 that we will be responsible at least  
10 for making sure the people are  
11 certified to do it right, to  
12 ultimately protect children. And I  
13 don't know if I answered your  
14 question at all, but they -- you do  
15 have a dual track with -- HUD has  
16 some responsibility in federal  
17 housing -- example, Section 8  
18 housing, that sort of thing -- HUD  
19 will have some responsibilities. But  
20 we're -- as far as lead-based paint  
21 notifications, inspections, that's  
22 what we do on activities, and now  
23 we're asking, let us do it. It's  
24 either us or the feds. There is no  
25 other way. It's the law. There is

# Myers Reporting

Sheet 13 Page 46  
1 no way to rewrite it.  
2 MR. HAUGHT: Does it have  
3 to be DEQ or is it a pitch for  
4 another state agency to do it.  
5 MR. WARD: I believe that  
6 it's DEQ. We are the -- under our  
7 statute and the rules for lead-based  
8 paint I think it falls squarely with  
9 us. I don't know where else it  
10 would fit in without some massive  
11 statutory change and program change  
12 that are certainly above my pay grade  
13 to do.  
14 MR. BROWN: May I address  
15 that?  
16 MR. HAMMONS: Sure.  
17 MR. BROWN: I disagree  
18 slightly. I work with the CLPPP  
19 over at the State Department of  
20 Health also, the Childhood Lead  
21 Poisoning Prevention Program. They  
22 actually talked about in the last  
23 year or two taking this program on.  
24 It could have gone either to them,  
25 or to here or let EPA take it. You

Page 47  
1 know, they wanted to let DEQ take  
2 first shot since they already had the  
3 other lead program from '96. So  
4 they've been waiting in the wings.  
5 But they would consider -- based on  
6 what they've told me, consider taking  
7 it on if DEQ chooses not to. I'm  
8 not saying they will but they would  
9 definitely think about it.  
10 You know, they do have the  
11 CLPPP program already. It is -- it  
12 is the dual sharing, just like  
13 there's two state agencies, DEQ and  
14 Department of Labor that share  
15 asbestos. There's two state agencies  
16 right now sharing the lead;  
17 Department of Health and DEQ.  
18 Also, Randy misspoke slightly.  
19 This program hasn't been going for  
20 two years. It was published in the  
21 Federal Register April 22nd of 2008  
22 to take effect April 22, 2010 which  
23 it did. And then the EPA, in their  
24 infinite wisdom, gave everybody until  
25 the end of the year to get certified

Page 48  
1 instead of being done by April 22nd.  
2 MR. HAUGHT: You mean the  
3 end of 2010.  
4 MR. BROWN: Yes. Yes, sir.  
5 Thank you.  
6 MR. WARD: The firm said  
7 accredited people could start before  
8 that date.  
9 MR. BROWN: Yes. That's  
10 true.  
11 MR. WARD: That is just the  
12 individuals and we are  
13 grandfathering-in the individuals.  
14 And under this program the  
15 individuals aren't regulated by DEQ  
16 other than to the extent that we  
17 provide the training and the firms in  
18 which they would work. Just to  
19 clarify that. The individuals who do  
20 -- go through the training would not  
21 be kept by us or registered or  
22 tracked or anything like that.  
23 MR. TERRILL: We can do  
24 point/counterpoint here all day and I  
25 -- go ahead but I'm ready for you

Page 49  
1 all to --  
2 MR. WARD: Can I -- can I  
3 --  
4 MR. BRANECKY: I think the  
5 decision, we need to send this back  
6 to you guys and you guys figure out  
7 what you want to do and then come  
8 back to us. I mean, whether you  
9 want to take it or give it back to  
10 EPA or whatever.  
11 MS. MYERS: Yeah. I think  
12 it would be really good to  
13 incorporate his expertise into the  
14 process.  
15 MR. BRANECKY: You guys can  
16 get together and work on it and if,  
17 Eddie, you decide if you want it,  
18 then bring it back and if not then  
19 give it to EPA.  
20 MR. TERRILL: Well, I think  
21 we'll decide whether or not we want  
22 it before we start doing any work on  
23 it. And I'm just going to have to  
24 talk to my staff and decide if it's  
25 something that they really want to

# Myers Reporting

<p>Sheet 14 Page 50</p> <p>1 do. Because I can tell you we don't 2 have any additional FTEs to put 3 towards this. So if we were to 4 elect to do something then it would 5 have to be something within the 6 manpower framework that we've got 7 now. And it's not going to be this 8 massive two, three, four million 9 dollar program. It's just not. And 10 I'm not sure that's what it will 11 really turn out to be. We'll talk 12 to staff and make a decision about 13 whether or not we want to move 14 forward.</p> <p>15 Trevor, did you have something 16 that you wanted to add? I'm sorry, 17 I didn't mean to cut you off.</p> <p>18 MR. HAMMONS: No. Just to 19 answer your question. Under 27A- 20 212-202. The Department of 21 Environmental Quality is hereby 22 designated as the official agency of 23 this state for the purpose of 24 cooperating with and implementing the 25 state Lead-Based Paint Reduction and</p>	<p>Page 52</p> <p>1 MS. LODES: I have a motion 2 and a second. Myrna, would you 3 please call roll.</p> <p>4 MS. BRUCE: Bob Lynch. 5 DR. LYNCH: Yes. 6 MS. BRUCE: Pete White. 7 MR. WHITE: Yes. 8 MS. BRUCE: David Gamble. 9 MR. GAMBLE: Yes. 10 MS. BRUCE: David Branecky. 11 MR. BRANECKY: Yes. 12 MS. BRUCE: Jim Haught. 13 MR. HAUGHT: Yes. 14 MS. BRUCE: Sharon Myers. 15 MS. MYERS: Yes. 16 MS. BRUCE: Gary Collins. 17 MR. COLLINS: Yes. 18 MS. BRUCE: Montelle Clark. 19 MR. CLARK: Yes. 20 MS. BRUCE: Laura Lodes. 21 MS. LODES: Yes. 22 MS. BRUCE: Motion passed. 23 MS. BOTCHLET-SMITH: Laura, 24 that concluded the hearing portion of 25 today's meeting.</p>
<p>Page 51</p> <p>1 Regulation Program under the 2 jurisdiction of the Federal 3 Environmental Protection Agency.</p> <p>4 So, I mean we -- that's us. 5 That's all I have. Thank you for 6 your time and attention.</p> <p>7 MR. TERRILL: Thank you. 8 MS. LODES: Thank you. 9 MS. BOTCHLET-SMITH: Do we 10 have any further questions from the 11 Council or are you ready for your 12 motion.</p> <p>13 MS. LODES: If we don't 14 have any further questions or 15 comments I am ready for a motion.</p> <p>16 MR. BRANECKY: I move that 17 we send the Chapter 110 lead-based 18 paint management program back to 19 staff for reconsideration and bring 20 it back to the next Council meeting 21 if they so desire.</p> <p>22 MS. LODES: I have a 23 motion. Do I have a second? 24 MS. MYERS: I'll second 25 that.</p>	<p>Page 53</p> <p>1 (Hearings Concluded)</p>

# Myers Reporting

Sheet 15 Page 54

## C E R T I F I C A T E

STATE OF OKLAHOMA )

) SS:

COUNTY OF OKLAHOMA )

I, CHRISTY A. MYERS, Certified Shorthand Reporter in and for the State of Oklahoma, do hereby certify that the above meeting is the truth, the whole truth, and nothing but the truth; that the foregoing meeting was taken down in shorthand and thereafter transcribed by me; that said meeting was taken on the 19th day of January, 2011, at Oklahoma City, Oklahoma; and that I am neither attorney for, nor relative of any of said parties, nor otherwise interested in said action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this, the 24th day of April, 2011.

CHRISTY A. MYERS, C.S.R.  
Certificate No. 00310

# Keyword Index

<b>\$</b>			
<b>\$10,000.00</b> [1] 11:25	<b>70</b> [1] 17:19	<b>34:11 35:8 46:22</b>	<b>apportion</b> [1] 43:25
<b>\$300.00</b> [13] 6:5 17:15 20:16 22:20 23:2,6,8 25:20 26:23,25 42:3,7,16	<b>745</b> [1] 4:21	<b>add</b> [2] 15:23 50:16	<b>appreciate</b> [4] 28:9,12 34:2 40:13
<b>\$37,500.00</b> [1] 30:2	<b>745-82</b> [1] 4:25	<b>added</b> [2] 21:19 27:21	<b>appreciated</b> [1] 27:15
<b>1</b>	<b>75</b> [1] 23:13	<b>adding</b> [3] 4:22 5:12 45:7	<b>approve</b> [2] 4:19 7:14
<b>1.4</b> [2] 39:24 40:7	<b>78</b> [1] 17:11	<b>addition</b> [1] 4:14	<b>approved</b> [2] 22:25 34:15
<b>110</b> [4] 3:6 4:23 12:2 51:17	<b>8</b>	<b>additional</b> [2] 4:13 50:2	<b>approved</b> [2] 22:25 34:15
<b>13,000</b> [5] 17:21 19:21 31:20 32:10 41:2	<b>8</b> [2] 40:3 45:17	<b>address</b> [4] 34:25 36:7 38:23 46:14	<b>approximate</b> [1] 19:21
<b>15</b> [5] 4:22 5:11 7:11 27:22 37:14	<b>80</b> [3] 18:7,9 23:13	<b>adjustment</b> [1] 34:20	<b>approximately</b> [1] 17:19
<b>15-1</b> [1] 13:13	<b>83</b> [2] 4:21 5:1	<b>administering</b> [1] 3:21	<b>april</b> [7] 17:8 19:24 42:11, 12 47:21,22 48:1
<b>17,000</b> [2] 17:22 19:21	<b>84</b> [1] 5:2	<b>admit</b> [1] 25:15	<b>areas</b> [1] 26:11
<b>1995</b> [1] 16:9	<b>85</b> [2] 5:3 17:23	<b>adopt</b> [2] 3:5,7	<b>aren't</b> [3] 41:2 42:14 48:15
<b>1996</b> [4] 16:14,18 38:11,15	<b>86</b> [1] 5:4	<b>adopted</b> [1] 25:7	<b>arguments</b> [1] 17:24
<b>2</b>	<b>87</b> [1] 5:6	<b>adoption</b> [1] 3:10	<b>around</b> [2] 20:7 26:24
<b>20</b> [1] 20:4	<b>89</b> [1] 5:7	<b>aerial</b> [1] 34:20	<b>asbestos</b> [8] 43:19,24 44:2,6,12,18,24 47:15
<b>200</b> [3] 17:20 18:23 39:7	<b>9</b>	<b>affect</b> [1] 39:22	<b>asks</b> [1] 7:14
<b>2008</b> [1] 47:21	<b>90</b> [1] 5:8	<b>afraid</b> [1] 9:25	<b>assessments</b> [1] 16:25
<b>2010</b> [3] 7:12 47:22 48:3	<b>90s</b> [2] 40:2,2	<b>afternoon</b> [1] 18:20	<b>assessor</b> [1] 17:4
<b>212-202</b> [1] 50:20	<b>91</b> [1] 5:8	<b>age</b> [1] 40:1	<b>assessors/inspectors</b> [1] 45:2
<b>22</b> [1] 47:22	<b>96</b> [7] 16:21 18:7 22:5 25:7 35:2 39:1 47:3	<b>agencies</b> [2] 47:13,15	<b>associated</b> [1] 5:25
<b>22nd</b> [4] 17:8 19:24 47:21 48:1	<b>A</b>	<b>agency</b> [5] 17:14 43:23 46:4 50:22 51:3	<b>associations</b> [2] 9:19 10:8
<b>25</b> [1] 20:4	<b>abatement</b> [1] 17:2	<b>ago</b> [2] 9:25 19:17	<b>assuming</b> [2] 42:12,16
<b>252</b> [1] 3:5	<b>abatements</b> [1] 16:23	<b>ahead</b> [2] 15:22 48:25	<b>astounding</b> [1] 39:21
<b>252:110-15-1</b> [1] 8:3	<b>ability</b> [1] 43:12	<b>air</b> [6] 3:1 13:16 34:6,9,12, 13	<b>attention</b> [1] 51:6
<b>252:110-9-8</b> [1] 6:15	<b>able</b> [2] 9:3 31:23	<b>allow</b> [1] 3:11	<b>authority</b> [2] 11:23 12:9
<b>27a</b> [2] 11:24 50:19	<b>above</b> [2] 8:15 46:12	<b>almost</b> [3] 18:9 19:15 37:12	<b>available</b> [1] 12:22
<b>3</b>	<b>absolutely</b> [1] 10:13	<b>already</b> [10] 3:24 5:15 13:18 22:20 23:5 26:23 40:22 43:7 47:2,11	<b>away</b> [1] 24:7
<b>300</b> [1] 6:9	<b>accepting</b> [1] 17:25	<b>amendment</b> [1] 25:8	<b>B</b>
<b>31st</b> [1] 20:3	<b>access</b> [1] 11:8	<b>amount</b> [2] 6:6 21:19	<b>back</b> [22] 15:8 19:1 23:21 28:6,24 30:24 31:1,10,16, 18 33:2,19,21 37:3 38:14 40:19 49:4,7,8,17 51:18,20
<b>4</b>	<b>accordance</b> [1] 6:13	<b>another</b> [3] 23:2 42:20 46:4	<b>bad</b> [1] 30:23
<b>40</b> [1] 4:21	<b>accreditation</b> [16] 4:3 6:10,14,16,23,24 7:3,6 24:23 25:3 36:11 37:15 38:10,14, 20,22	<b>answer</b> [4] 30:16 31:23,25 50:19	<b>based</b> [5] 19:16 34:19,21 36:11 47:5
<b>5</b>	<b>accredited</b> [4] 6:12 7:5 45:1 48:7	<b>answered</b> [1] 45:13	<b>basically</b> [2] 8:13 23:3
<b>5-1</b> [1] 13:7	<b>across</b> [1] 21:22	<b>anticipate</b> [1] 41:24	<b>basing</b> [1] 38:21
<b>6</b>	<b>act</b> [1] 11:22	<b>anticipated</b> [1] 41:10	<b>begin</b> [2] 21:20 35:18
<b>60</b> [2] 42:4,5	<b>action</b> [1] 28:21	<b>anybody</b> [2] 19:15 28:16	<b>believe</b> [9] 8:8 9:18 10:3,6, 22 12:11 21:4 32:12 46:5
<b>7</b>	<b>activities</b> [8] 4:15 5:17 6:18 8:4,12 12:5 45:1,22	<b>anyway</b> [3] 8:20 10:22 37:25	<b>belong</b> [1] 43:21
	<b>actual</b> [1] 7:5	<b>applicability</b> [1] 5:1	<b>belongs</b> [1] 35:8
	<b>actuality</b> [1] 35:7	<b>applies</b> [1] 19:9	<b>best</b> [1] 30:22
	<b>actually</b> [10] 9:17 10:18 11:18 20:22 24:16,22 28:16	<b>apply</b> [1] 7:21	

# Keyword Index

<p><b>better</b> [2] 9:4 33:22  <b>biblical</b> [1] 9:24  <b>big</b> [2] 29:18 41:9  <b>bigger</b> [1] 9:10  <b>bit</b> [1] 9:10  <b>board</b> [3] 7:15 23:21 28:7  <b>bob</b> [1] 52:4  <b>botchlet-smith</b> [12] 7:18            13:17 14:1,6,14,24 15:5,9,            17 16:2 51:9 52:23  <b>both</b> [1] 17:25  <b>branecky</b> [12] 14:12,17,22            30:4 36:2,21 37:2 49:3,14            51:16 52:10,11  <b>breakout</b> [1] 37:17  <b>bring</b> [5] 22:15 29:16 35:            21 49:17 51:19  <b>bringing</b> [1] 30:12  <b>brown</b> [32] 15:14 16:5,6,7            24:8,21,25 25:18,24 26:10,            17,21 27:3,8,12,18 28:5,10,            23 29:13 32:11 33:25 34:3,            25 36:8 38:23 40:14,20 46:            14,17 48:4,9  <b>bruce</b> [10] 52:4,6,8,10,12,            14,16,18,20,22  <b>bucks</b> [3] 6:9 42:4,5  <b>builders</b> [1] 9:20  <b>building</b> [2] 44:10,11  <b>built</b> [1] 17:11  <b>buy-in</b> [5] 21:3,16 23:23            29:4 40:4</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>call</b> [9] 8:24,25 9:2 10:16,            19,20 39:15 41:17 52:3  <b>calls</b> [3] 30:13 32:18 37:25  <b>calming</b> [1] 20:20  <b>came</b> [6] 16:15 17:7 18:6            19:17,24 35:2  <b>case</b> [1] 42:22  <b>category</b> [1] 30:10  <b>center</b> [1] 25:4  <b>certain</b> [3] 4:8 36:22 44:20  <b>certainly</b> [1] 46:12  <b>certification</b> [8] 4:4 5:7,8,            10,14 6:1 12:6 37:16</p>	<p><b>certified</b> [12] 4:1 11:15 17:            15,19,20,21,22 20:1 22:17            23:1 45:11 47:25  <b>certify</b> [1] 6:3  <b>cetera</b> [1] 41:16  <b>cfr</b> [1] 4:21  <b>chance</b> [1] 30:25  <b>chances</b> [1] 31:10  <b>change</b> [5] 36:22,24 42:24            46:11,11  <b>changed</b> [1] 27:11  <b>changes</b> [3] 3:5 5:20 22:9  <b>changing</b> [1] 4:18  <b>chapter</b> [2] 3:6 51:17  <b>charge</b> [1] 7:3  <b>charged</b> [1] 6:13  <b>child</b> [4] 4:8 8:7 11:10 13:2  <b>childhood</b> [3] 35:13,14 46:            20  <b>children</b> [5] 4:11,16 20:24            34:8 45:12  <b>chooses</b> [1] 47:7  <b>chosen</b> [1] 18:10  <b>city</b> [1] 25:5  <b>clarify</b> [2] 27:17 48:19  <b>clarifying</b> [1] 40:11  <b>clarity</b> [1] 40:23  <b>clark</b> [2] 52:18,19  <b>class</b> [9] 17:12 18:22 20:6,            15,17,19,21 22:18 39:5  <b>classes</b> [4] 16:17,20 17:1,            5  <b>clause</b> [1] 37:9  <b>clear</b> [2] 7:1 8:18  <b>close</b> [1] 14:16  <b>clppp</b> [2] 46:18 47:11  <b>collins</b> [4] 28:18 29:11 52:            16,17  <b>come</b> [12] 19:1 20:14 22:            18 23:15 29:19 31:16,18            33:21 35:3 39:8 40:3 49:6  <b>coming</b> [4] 28:13 31:10 32:            18 34:2  <b>comment</b> [3] 15:4,10 28:            17  <b>commented</b> [1] 36:8  <b>comments</b> [7] 7:12 10:25</p>	<p>15:15,18,23 33:24 51:15  <b>commercial</b> [1] 44:11  <b>community</b> [6] 19:6 20:8            23:24 29:2,5 33:14  <b>companies</b> [6] 19:12,13,            13,14,14 23:5  <b>company</b> [2] 16:8 17:14  <b>compensation</b> [2] 4:7 8:            15  <b>complaints</b> [1] 41:15  <b>completely</b> [1] 44:23  <b>compliance</b> [2] 21:15 29:            23  <b>complying</b> [1] 11:21  <b>compromise</b> [1] 33:17  <b>concluded</b> [2] 52:24 53:1  <b>consider</b> [2] 47:5,6  <b>constraint</b> [1] 15:13  <b>contain</b> [1] 44:12  <b>continue</b> [1] 30:7  <b>contractor</b> [1] 12:19  <b>contractors</b> [5] 17:10 20:            25 32:18 39:18 40:5  <b>cooperating</b> [1] 50:24  <b>correct</b> [1] 8:9  <b>correctly</b> [1] 45:5  <b>correlation</b> [1] 34:19  <b>corresponding</b> [1] 35:23  <b>cost</b> [1] 7:6  <b>couldn't</b> [2] 43:4,9  <b>council</b> [8] 7:19 16:4 24:            15 28:20 30:8 34:13 51:11,            20  <b>country</b> [2] 20:25 21:22  <b>couple</b> [4] 9:7,24 10:24 41:            4  <b>course</b> [1] 9:1  <b>courses</b> [4] 6:12,21 7:4,8  <b>crafting</b> [1] 37:4  <b>crazy</b> [1] 21:21  <b>current</b> [2] 5:22 25:7  <b>currently</b> [3] 3:17,19 16:            18  <b>customer</b> [3] 8:21 9:3 21:            13  <b>customers</b> [1] 38:2  <b>cut</b> [1] 50:17</p>	<p style="text-align: center;"><b>D</b></p> <hr/> <p><b>dallas</b> [3] 8:25 10:19 41:20  <b>date</b> [1] 48:8  <b>dates</b> [1] 38:14  <b>david</b> [2] 52:8,10  <b>day</b> [3] 11:25 39:9 48:24  <b>days</b> [2] 17:5 29:7  <b>deal</b> [2] 25:16 44:6  <b>dealing</b> [1] 43:24  <b>december</b> [2] 7:11 20:3  <b>decide</b> [3] 49:16,20,23  <b>decision</b> [3] 35:20 49:4 50:            12  <b>deed</b> [1] 30:11  <b>defined</b> [4] 11:11 12:12 13:            3 40:22  <b>definitely</b> [1] 47:9  <b>definition</b> [1] 40:25  <b>definitions</b> [7] 5:2 11:3,12            12:25 13:11 27:19 40:20  <b>degree</b> [2] 15:15 39:12  <b>delegated</b> [1] 37:1  <b>delegation</b> [5] 3:12 5:16            37:6 42:9,17  <b>department</b> [6] 35:4 44:            14 46:19 47:14,17 50:20  <b>depending</b> [2] 6:20 7:7  <b>deq</b> [10] 22:24 23:17 29:17            46:3,6 47:1,7,13,17 48:15  <b>designated</b> [1] 50:22  <b>desire</b> [2] 30:17 51:21  <b>destroy</b> [1] 44:10  <b>detail</b> [1] 25:17  <b>developed</b> [1] 3:16  <b>differ</b> [1] 44:23  <b>different</b> [2] 5:19 7:23  <b>director's</b> [3] 14:7,13,19  <b>disagree</b> [1] 46:17  <b>distribution</b> [1] 5:3  <b>division</b> [1] 34:10  <b>doing</b> [14] 10:22 12:19 15:            22,24 16:22 18:5,12 27:16            31:9,22,22 32:22,23 49:21  <b>dollar</b> [2] 30:18 50:9  <b>dollars</b> [1] 21:8  <b>done</b> [9] 8:15 21:23 23:14</p>
--	---	--	--

# Keyword Index

<p>28:7,8 33:4 45:5,8 48:1  <b>door</b> [1] 9:9  <b>double</b> [1] 23:3  <b>doubt</b> [1] 29:17  <b>down</b> [4] 20:20 23:8 24:1            26:6  <b>downfall</b> [1] 30:7  <b>drawing</b> [2] 23:21 28:6  <b>dual</b> [3] 37:7 45:15 47:12  <b>during</b> [1] 14:20  <b>dust</b> [1] 34:7</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>early</b> [2] 40:2 43:8  <b>eddie</b> [1] 49:16  <b>education</b> [1] 10:21  <b>educational</b> [3] 6:11,22            36:13  <b>effect</b> [7] 3:18,19 6:8 15:15            17:8 41:12 47:22  <b>effectively</b> [1] 24:3  <b>effects</b> [1] 39:18  <b>effort</b> [2] 31:3 35:24  <b>eight-hour</b> [1] 20:19  <b>either</b> [5] 3:22 8:24 38:2            45:24 46:24  <b>elect</b> [1] 50:4  <b>electricians</b> [2] 19:11 20:            11  <b>electronic</b> [1] 43:14  <b>encourage</b> [1] 23:15  <b>end</b> [4] 20:2 42:19 47:25            48:3  <b>enforce</b> [1] 30:2  <b>enforced</b> [1] 3:19  <b>enforcement</b> [7] 5:6 21:            17,23 29:24 30:1 44:9,13  <b>enforcing</b> [1] 3:22  <b>ensure</b> [1] 21:15  <b>envirohome</b> [1] 16:7  <b>environmental</b> [3] 7:15            50:21 51:3  <b>epa</b> [32] 3:12,18,22 4:1 8:            25 16:14,16 18:1 19:25 20:            1,16 21:21 22:21 23:6,18            25:1 29:20 30:14 31:25 32:            2,21 33:6 36:4 37:21 39:4</p>	<p>41:5,20,22 46:25 47:23 49:            9,18  <b>epa's</b> [1] 36:23  <b>essentially</b> [6] 4:10,19 17:            9 19:9 27:4 37:7  <b>establishes</b> [1] 4:2  <b>estimation</b> [2] 19:23 20:4  <b>et</b> [1] 41:16  <b>even</b> [5] 18:15 21:20 35:18            39:14 40:21  <b>everybody</b> [4] 19:25 20:2            22:3 47:24  <b>everybody's</b> [1] 18:19  <b>everything</b> [2] 37:12 45:4  <b>exactly</b> [2] 32:2 44:22  <b>example</b> [4] 39:3 44:18,24            45:17  <b>excellent</b> [1] 16:12  <b>except</b> [1] 20:10  <b>exception</b> [1] 8:1  <b>excuse</b> [1] 8:7  <b>existing</b> [4] 5:13 6:14 11:            19 36:12  <b>exists</b> [1] 44:2  <b>expect</b> [1] 21:24  <b>expected</b> [1] 17:24  <b>expertise</b> [1] 49:12  <b>explain</b> [1] 41:18  <b>extent</b> [1] 48:16  <b>extrapolated</b> [1] 19:20  <b>extremely</b> [1] 28:8</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>facilitate</b> [1] 9:2  <b>facilities</b> [4] 4:9 11:11 13:            2 36:14  <b>facility</b> [2] 6:11,22  <b>fact</b> [5] 3:23 8:17 9:22 18:            22 34:17  <b>fall</b> [2] 9:9 43:9  <b>falls</b> [2] 30:10 46:8  <b>familiar</b> [1] 25:15  <b>far</b> [11] 10:17 12:6 19:23 21:            24 27:6 36:16 38:16 44:9,            21 45:5,20  <b>federal</b> [22] 3:8 5:19,23 6:            7,8,25 11:8,9 22:12 24:19</p>	<p>26:9,14 30:1 36:10,19 37:8,            10,13 38:7 45:16 47:21 51:            2  <b>feds</b> [4] 38:2,9 45:7,24  <b>fee</b> [8] 6:16 7:1 17:15 25:6            26:7 38:7,20 39:13  <b>feelings</b> [1] 21:6  <b>feels</b> [1] 33:12  <b>fees</b> [17] 5:24 6:10,14,24 7:            2 11:14 24:22 25:2,5,12 26:            13,17 27:6 36:11 37:16 38:            5,11  <b>few</b> [2] 40:18 41:6  <b>fighting</b> [1] 19:7  <b>figure</b> [6] 29:23 33:17,20            43:4,10 49:5  <b>find</b> [1] 24:11  <b>fine</b> [3] 13:9,13 15:1  <b>firemen</b> [1] 29:6  <b>firm</b> [7] 5:7,10 6:1 17:14 37:            15 42:5 48:6  <b>firms</b> [12] 3:23 6:2 8:23 17:            19,21 19:21 25:20 41:1 42:            1 43:15 45:2 48:17  <b>first</b> [5] 3:14 20:18 24:15            31:19 47:2  <b>fit</b> [3] 34:22,23 46:10  <b>five</b> [12] 6:2,5,9 21:9 22:22            23:4 25:21 41:18 42:3,7 43:            3,5  <b>fix</b> [1] 28:3  <b>fixed</b> [1] 8:6  <b>flooring</b> [1] 19:12  <b>fold</b> [1] 17:23  <b>folks</b> [2] 31:25 33:15  <b>follow</b> [2] 32:5 36:18  <b>following</b> [1] 36:4  <b>foremost</b> [1] 3:15  <b>forget</b> [1] 44:7  <b>forward</b> [1] 50:14  <b>found</b> [2] 6:15 26:3  <b>four</b> [6] 17:1,5 21:8 30:18            31:20 50:8  <b>frame</b> [1] 23:4  <b>framework</b> [1] 50:6  <b>friend</b> [1] 35:6  <b>front</b> [2] 7:10 22:2</p>	<p><b>ftes</b> [2] 31:5 50:2  <b>full</b> [3] 18:16 43:3,5  <b>further</b> [3] 4:15 51:10,14</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>gamble</b> [2] 52:8,9  <b>gary</b> [1] 52:16  <b>gave</b> [2] 20:2 47:24  <b>gazillion</b> [1] 32:17  <b>general</b> [1] 12:9  <b>gentleman</b> [1] 31:14  <b>gets</b> [2] 22:25 30:13  <b>getting</b> [2] 10:18 31:24  <b>give</b> [3] 42:23 49:8,18  <b>glad</b> [1] 33:23  <b>gladly</b> [1] 42:23  <b>goal</b> [1] 4:10  <b>goodness</b> [1] 32:10  <b>got</b> [7] 10:23 26:5 29:21 30:            17 33:11 39:10 50:6  <b>grade</b> [1] 46:12  <b>grandfather</b> [2] 23:10 43:            5  <b>grandfathered</b> [2] 43:1,2  <b>grandfather-in</b> [1] 22:16  <b>grandfathering</b> [4] 26:18,            19 27:7 42:8  <b>grandfathering-in</b> [4] 22:            19 24:12 26:3 48:13  <b>great</b> [1] 24:4  <b>group</b> [2] 3:1 13:16  <b>groups</b> [1] 20:23  <b>guess</b> [2] 15:6 41:23  <b>guttering</b> [1] 19:14  <b>guys</b> [6] 9:7 32:14 33:2 49:            5,5,14</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>hailstorm</b> [2] 9:23,24  <b>hammons</b> [21] 7:25 9:16            10:13 11:1,4,17 12:11,23            13:4,12,24 34:11 36:6,24            37:3 38:8,12,16 44:4 46:16            50:18  <b>handle</b> [2] 41:22 43:12  <b>handyman</b> [3] 7:22 12:21            37:23  <b>handymen</b> [2] 19:9 29:8</p>
---	---	---	---

# Keyword Index

<p> <b>happened</b> [2] 12:1 21:2  <b>happening</b> [1] 21:18  <b>hardly</b> [1] 23:25  <b>haught</b> [6] 14:18 43:17 46:2 48:2 52:12,13  <b>hazard</b> [2] 34:17,21  <b>hazards</b> [2] 4:12,16  <b>health</b> [3] 35:4 46:20 47:17  <b>hear</b> [1] 14:19  <b>heard</b> [1] 31:19  <b>hearing</b> [5] 14:9,15,16 15:6 52:24  <b>hearings</b> [1] 53:1  <b>heart</b> [1] 32:3  <b>help</b> [4] 10:16,19,20 33:1  <b>helps</b> [2] 37:21,23  <b>henceforth</b> [1] 3:9  <b>hereby</b> [1] 50:21  <b>hits</b> [1] 22:2  <b>home</b> [2] 9:19 12:19  <b>homeowners</b> [2] 32:19 39:19  <b>homes</b> [1] 34:8  <b>hours</b> [1] 20:19  <b>house</b> [1] 8:6  <b>houses</b> [2] 29:8,10  <b>housing</b> [14] 4:8 8:7,8,10 11:10 12:12 13:1,5 17:10,12 19:15 40:25 45:17,18  <b>however</b> [2] 5:20 41:12  <b>hud</b> [3] 44:19 45:15,18  <b>huge</b> [1] 36:1  <b>humble</b> [1] 28:10  <b>humbly</b> [1] 28:23  <b>hundred</b> [2] 41:4,6  <b>hvac</b> [2] 19:11 20:10 </p> <hr/> <p> <b>I</b> </p> <hr/> <p> <b>idea</b> [3] 41:3,7 42:2  <b>identical</b> [1] 27:23  <b>immense</b> [1] 21:18  <b>impact</b> [2] 18:14 22:7  <b>implement</b> [1] 30:18  <b>implementing</b> [1] 50:24  <b>important</b> [4] 20:22 21:3 23:17,18  <b>included</b> [2] 38:17 40:21 </p>	<p> <b>includes</b> [1] 13:5  <b>incorporate</b> [5] 4:24 12:16 13:6 31:12 49:12  <b>incorporated</b> [4] 12:13 16:7 27:20 38:19  <b>incorporates</b> [1] 37:12  <b>incorporating</b> [1] 4:20  <b>increase</b> [6] 7:1,2 17:23 21:13 35:23 41:24  <b>increased</b> [1] 7:7  <b>individually</b> [1] 22:17  <b>individuals</b> [9] 5:10 17:20,22 19:22 39:5 48:12,13,15,19  <b>infinite</b> [1] 47:24  <b>influx</b> [1] 43:13  <b>information</b> [2] 5:2 11:14  <b>insert</b> [1] 13:11  <b>inspections</b> [3] 5:7 16:24 45:21  <b>inspector</b> [1] 17:3  <b>instance</b> [1] 9:6  <b>instead</b> [1] 48:1  <b>instructor</b> [1] 16:19  <b>instructors</b> [1] 18:21  <b>interested</b> [1] 31:4  <b>interesting</b> [1] 32:9  <b>isn't</b> [1] 22:11  <b>issue</b> [4] 34:6 35:14 39:15,23  <b>issues</b> [3] 9:22 22:8 28:1  <b>item</b> [1] 14:9 </p> <hr/> <p> <b>J</b> </p> <hr/> <p> <b>jeopardy</b> [1] 23:3  <b>jim</b> [1] 52:12  <b>job</b> [1] 16:12  <b>jumped</b> [1] 32:2  <b>jurisdiction</b> [1] 51:2 </p> <hr/> <p> <b>K</b> </p> <hr/> <p> <b>kansas</b> [1] 19:16  <b>kept</b> [1] 48:21  <b>kids</b> [1] 39:25  <b>kind</b> [7] 9:12,13 10:21 21:16 27:5 33:14 43:18  <b>known</b> [2] 3:9 18:24  <b>knows</b> [1] 24:1 </p>	<p> <b>L</b> </p> <hr/> <p> <b>labor</b> [2] 44:15 47:14  <b>land</b> [1] 3:17  <b>landlords</b> [2] 32:19 39:20  <b>language</b> [1] 13:19  <b>last</b> [10] 14:8 19:25 28:15 35:3 40:7 42:11,12,13 43:9 46:22  <b>later</b> [1] 27:21  <b>laura</b> [4] 14:1 28:18 52:20,23  <b>law</b> [7] 3:16 8:20 37:10,18,21 38:6 45:25  <b>lead</b> [15] 3:8 16:12,15 17:1 20:24 24:13 28:14 35:1,15 40:1,17 44:1 46:20 47:3,16  <b>lead-abatement</b> [3] 17:2,3,4  <b>lead-based</b> [26] 3:2,6 4:12,14,17 5:16 6:17,19 8:11 11:19,21 12:4 16:17,19,22,23,24 34:16,18 39:1 44:21,25 45:20 46:7 50:25 51:17  <b>least</b> [1] 45:9  <b>length</b> [1] 17:6  <b>less</b> [1] 5:22  <b>letting</b> [1] 20:20  <b>level</b> [1] 34:18  <b>levels</b> [1] 34:21  <b>license</b> [1] 12:4  <b>licensed</b> [1] 20:12  <b>list</b> [1] 41:5  <b>litigation</b> [1] 9:18  <b>little</b> [2] 9:10 28:1  <b>lives</b> [2] 20:13 39:23  <b>local</b> [1] 7:22  <b>lodes</b> [26] 14:3,11 15:7,21 24:7,9,24 25:10,22 26:1,11,20 27:1,5,9,13 28:4,9,12 34:1 51:8,13,22 52:1,20,21  <b>long</b> [1] 13:25  <b>longer</b> [1] 36:25  <b>look</b> [3] 30:24 31:9 41:25  <b>looked</b> [1] 27:23  <b>looking</b> [2] 26:5 32:7  <b>lose</b> [1] 42:22 </p>	<p> <b>lot</b> [5] 24:14 35:17,22,24 43:18  <b>lynch</b> [3] 34:4 52:4,5 </p> <hr/> <p> <b>M</b> </p> <hr/> <p> <b>ma'am</b> [3] 11:1,4 12:24  <b>made</b> [1] 32:6  <b>main</b> [1] 10:14  <b>maintenance</b> [2] 8:4 12:20  <b>major</b> [4] 17:17 18:17 22:8 39:14  <b>maker</b> [1] 29:18  <b>management</b> [1] 51:18  <b>manager</b> [1] 40:17  <b>manpower</b> [3] 35:18,24 50:6  <b>many</b> [10] 16:11,21 23:5 28:1 35:1 41:3,8 42:2,14 43:6  <b>march</b> [1] 42:13  <b>massive</b> [5] 18:13,13 35:25 46:10 50:8  <b>matter</b> [1] 32:25  <b>mean</b> [13] 26:12,22 27:25 30:21 31:21 32:20 33:10 34:12 37:24 48:2 49:7 50:17 51:4  <b>mechanism</b> [1] 43:10  <b>meet</b> [2] 5:13,18  <b>meeting</b> [4] 19:18 30:8 51:20 52:25  <b>mentioned</b> [1] 24:25  <b>metro</b> [2] 25:3 36:15  <b>might</b> [1] 42:21  <b>million</b> [4] 21:8 30:18 31:21 50:8  <b>mind</b> [2] 9:6 32:5  <b>minimum</b> [1] 39:13  <b>minor</b> [5] 8:3,3,14 9:10 22:1  <b>minutes</b> [2] 14:2 41:18  <b>misspoke</b> [1] 47:18  <b>mistaken</b> [1] 34:17  <b>mixed</b> [1] 21:6  <b>modifying</b> [1] 5:9  <b>money</b> [5] 20:15 23:13 29: </p>
---	---	---	---

# Keyword Index

<p>16,18 35:22  <b>montelle</b> [1] 52:18  <b>most</b> [4] 19:5,8 20:9 36:3  <b>motion</b> [5] 51:12,15,23 52:1,22  <b>move</b> [2] 50:13 51:16  <b>ms</b> [62] 7:18,21 9:5 10:9,23 11:2,5 12:10,15 13:1,8,17 14:1,3,6,11,14,24 15:5,7,9,17,21 16:2 24:7,9,24 25:10,22 26:1,11,20 27:1,5,9,13 28:4,9,12 34:1 38:5 40:10 49:10 51:8,9,13,22,24 52:1,4,6,8,10,12,14,15,16,18,20,21,22,23  <b>much</b> [5] 15:2 16:3 20:13 21:12 35:19  <b>must</b> [1] 30:6  <b>myers</b> [16] 7:21 9:5 10:9,23 11:2,5 12:10,15 13:1,8 38:5 40:10 49:10 51:24 52:14,15  <b>myrna</b> [1] 52:2  <b>myself</b> [1] 29:1</p>	<p><b>noted</b> [1] 26:6  <b>nothing</b> [1] 9:11  <b>notifications</b> [2] 44:8 45:21  <b>notify</b> [1] 44:13  <b>number</b> [6] 6:21 7:8 31:8 41:1,9 42:1  <b>numbers</b> [1] 19:16</p>	<p>35:2,3 38:9 42:6 43:4,10 49:5 50:11  <b>out-numbered</b> [1] 41:21  <b>outreach</b> [2] 9:12 30:20  <b>outreaches</b> [1] 41:11  <b>over</b> [8] 16:13 18:7,18 27:4 35:6,12 42:6 46:19  <b>overhaul</b> [1] 32:14  <b>own</b> [1] 37:4</p>	<p><b>persons</b> [1] 4:6  <b>pete</b> [1] 52:6  <b>picked</b> [1] 42:9  <b>pitch</b> [1] 46:3  <b>place</b> [1] 32:4  <b>places</b> [2] 24:18 26:7  <b>please</b> [1] 52:3  <b>pleasure</b> [1] 40:14  <b>plenty</b> [1] 23:11  <b>plumbers</b> [2] 19:11 20:10  <b>point</b> [7] 15:20 18:10,18,18 22:7,7 27:14  <b>point/counterpoint</b> [1] 48:24  <b>points</b> [2] 22:13 27:10  <b>poison</b> [1] 20:24  <b>poisoned</b> [1] 40:1  <b>poisoning</b> [3] 35:14,15 46:21  <b>population</b> [1] 19:19  <b>portion</b> [1] 52:24  <b>possibility</b> [1] 42:21  <b>possible</b> [1] 6:20  <b>possibly</b> [1] 7:7  <b>postpone</b> [1] 14:8  <b>potential</b> [1] 29:18  <b>power</b> [1] 12:3  <b>pre-1978</b> [2] 8:9 13:5  <b>prefer</b> [1] 9:1  <b>prepared</b> [1] 13:19  <b>presented</b> [1] 37:11  <b>press</b> [1] 10:7  <b>pretty</b> [1] 20:12  <b>prevention</b> [2] 35:15 46:21  <b>previously</b> [1] 38:18  <b>primarily</b> [2] 20:9 34:7  <b>primary</b> [1] 21:10  <b>prime</b> [1] 24:5  <b>privilege</b> [1] 16:9  <b>probably</b> [4] 20:6 21:9 35:8,12  <b>problem</b> [5] 8:24 29:21 32:1 39:10 41:13  <b>problems</b> [3] 9:4 18:17 19:4  <b>process</b> [1] 49:13</p>
<b>O</b>			
<p><b>oac</b> [2] 3:5 6:15  <b>obviously</b> [1] 34:12  <b>occasionally</b> [1] 45:3  <b>occupied</b> [3] 4:9 11:10 13:2  <b>offered</b> [1] 9:14  <b>official</b> [1] 50:22  <b>okay</b> [15] 9:5 10:23 12:10 14:11 15:5,17 16:4 24:8,10,24 25:18,22 26:20 28:4 40:16  <b>oklahoma</b> [17] 3:3,20,24 7:11 8:22 12:17 16:17 20:6 23:1 25:4 36:15 37:22 39:3,6 42:15 43:22,23  <b>one</b> [12] 10:14 18:21,22 21:7 22:23 24:21 34:7 35:3 36:14 37:8 39:3,8  <b>one-day</b> [1] 17:12  <b>ones</b> [1] 40:22  <b>only</b> [2] 16:18 39:4  <b>onsite</b> [1] 45:4  <b>operators</b> [1] 10:11  <b>opinion</b> [3] 11:13 28:5,11  <b>opportunity</b> [1] 15:11  <b>opposing</b> [1] 29:12  <b>order</b> [1] 31:23  <b>original</b> [3] 16:15 18:6 39:1  <b>other</b> [15] 6:18 10:24 11:12,22 12:8 16:3 18:5 25:13 26:11,15 36:10 37:9 45:25 47:3 48:16  <b>others</b> [1] 29:2  <b>out</b> [21] 9:4 10:6 14:16 16:15 17:7 18:6 19:24 23:11 27:14 29:23 33:14,17,20</p>	<p><b>page</b> [1] 22:2  <b>paid</b> [2] 26:23 42:16  <b>paint</b> [30] 3:2,7 4:12,14,17 5:16 6:17,19 8:11 11:19,22 12:5 16:15,17,19,22,23,24 29:8,10 34:16,18 39:1 40:18 44:21,25 45:20 46:8 50:25 51:18  <b>painters</b> [1] 19:10  <b>painting</b> [2] 3:9 29:6  <b>paper</b> [1] 22:3  <b>parallel</b> [3] 43:18,25 44:23  <b>parents</b> [2] 21:1 40:5  <b>part</b> [12] 4:21 6:18 12:8 14:15 18:3 19:5,8 22:14 23:16 27:6 34:13 44:7  <b>parts</b> [1] 26:15  <b>pass</b> [1] 30:6  <b>passed</b> [1] 52:22  <b>past</b> [5] 17:8 20:3 24:13 28:15 34:14  <b>pay</b> [5] 6:5 20:15 25:20 26:24 46:12  <b>penalties</b> [3] 11:15,20 12:7  <b>people</b> [26] 7:23 8:22 9:15,25 10:4 11:7 18:23 20:5,9,23 22:16,19 23:11,14 24:1 29:5 36:18 37:22,23 39:8 41:14,17 42:10 43:13 45:10 48:7  <b>per</b> [3] 11:25 29:13 30:2  <b>percent</b> [7] 18:7,9 20:5 23:13 39:24 40:3,7  <b>performing</b> [2] 3:25 4:6  <b>personnel</b> [1] 21:19</p>	<p><b>page</b> [1] 22:2  <b>paid</b> [2] 26:23 42:16  <b>paint</b> [30] 3:2,7 4:12,14,17 5:16 6:17,19 8:11 11:19,22 12:5 16:15,17,19,22,23,24 29:8,10 34:16,18 39:1 40:18 44:21,25 45:20 46:8 50:25 51:18  <b>painters</b> [1] 19:10  <b>painting</b> [2] 3:9 29:6  <b>paper</b> [1] 22:3  <b>parallel</b> [3] 43:18,25 44:23  <b>parents</b> [2] 21:1 40:5  <b>part</b> [12] 4:21 6:18 12:8 14:15 18:3 19:5,8 22:14 23:16 27:6 34:13 44:7  <b>parts</b> [1] 26:15  <b>pass</b> [1] 30:6  <b>passed</b> [1] 52:22  <b>past</b> [5] 17:8 20:3 24:13 28:15 34:14  <b>pay</b> [5] 6:5 20:15 25:20 26:24 46:12  <b>penalties</b> [3] 11:15,20 12:7  <b>people</b> [26] 7:23 8:22 9:15,25 10:4 11:7 18:23 20:5,9,23 22:16,19 23:11,14 24:1 29:5 36:18 37:22,23 39:8 41:14,17 42:10 43:13 45:10 48:7  <b>per</b> [3] 11:25 29:13 30:2  <b>percent</b> [7] 18:7,9 20:5 23:13 39:24 40:3,7  <b>performing</b> [2] 3:25 4:6  <b>personnel</b> [1] 21:19</p>	<p><b>persons</b> [1] 4:6  <b>pete</b> [1] 52:6  <b>picked</b> [1] 42:9  <b>pitch</b> [1] 46:3  <b>place</b> [1] 32:4  <b>places</b> [2] 24:18 26:7  <b>please</b> [1] 52:3  <b>pleasure</b> [1] 40:14  <b>plenty</b> [1] 23:11  <b>plumbers</b> [2] 19:11 20:10  <b>point</b> [7] 15:20 18:10,18,18 22:7,7 27:14  <b>point/counterpoint</b> [1] 48:24  <b>points</b> [2] 22:13 27:10  <b>poison</b> [1] 20:24  <b>poisoned</b> [1] 40:1  <b>poisoning</b> [3] 35:14,15 46:21  <b>population</b> [1] 19:19  <b>portion</b> [1] 52:24  <b>possibility</b> [1] 42:21  <b>possible</b> [1] 6:20  <b>possibly</b> [1] 7:7  <b>postpone</b> [1] 14:8  <b>potential</b> [1] 29:18  <b>power</b> [1] 12:3  <b>pre-1978</b> [2] 8:9 13:5  <b>prefer</b> [1] 9:1  <b>prepared</b> [1] 13:19  <b>presented</b> [1] 37:11  <b>press</b> [1] 10:7  <b>pretty</b> [1] 20:12  <b>prevention</b> [2] 35:15 46:21  <b>previously</b> [1] 38:18  <b>primarily</b> [2] 20:9 34:7  <b>primary</b> [1] 21:10  <b>prime</b> [1] 24:5  <b>privilege</b> [1] 16:9  <b>probably</b> [4] 20:6 21:9 35:8,12  <b>problem</b> [5] 8:24 29:21 32:1 39:10 41:13  <b>problems</b> [3] 9:4 18:17 19:4  <b>process</b> [1] 49:13</p>
<b>N</b>			

# Keyword Index

<p><b>program</b> <sup>[38]</sup> 3:2,13 4:15 5:20,25 6:19,25 8:12 10:15 16:13 18:1,24 19:4 21:4 22: 4,24 23:16,18 30:19 35:2, 15,25 37:1 38:14 40:18 41: 22 42:10,18 46:11,21,23 47: 3,11,19 48:14 50:9 51:1,18 <b>promise</b> <sup>[2]</sup> 10:9 31:17 <b>promulgated</b> <sup>[1]</sup> 30:15 <b>properly</b> <sup>[1]</sup> 21:15 <b>proposed</b> <sup>[3]</sup> 6:7 7:9 12: 14 <b>proposing</b> <sup>[3]</sup> 4:24 5:21 12:24 <b>protect</b> <sup>[2]</sup> 4:11 45:12 <b>protection</b> <sup>[1]</sup> 51:3 <b>protects</b> <sup>[1]</sup> 4:16 <b>provide</b> <sup>[3]</sup> 21:12 33:13 48: 17 <b>provided</b> <sup>[1]</sup> 8:21 <b>provisions</b> <sup>[2]</sup> 4:21,23 <b>public</b> <sup>[1]</sup> 15:19 <b>published</b> <sup>[2]</sup> 7:10 47:20 <b>pull</b> <sup>[1]</sup> 12:5 <b>purpose</b> <sup>[3]</sup> 21:1 30:12 50: 23 <b>put</b> <sup>[3]</sup> 35:24 40:24 50:2 <b>putting</b> <sup>[1]</sup> 27:24</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>quality</b> <sup>[5]</sup> 7:15 34:6,9,13 50:21 <b>question</b> <sup>[4]</sup> 3:20 15:8 45: 14 50:19 <b>questions</b> <sup>[9]</sup> 7:17,19 10: 24 16:4 24:10 31:24 41:16 51:10,14 <b>quite</b> <sup>[1]</sup> 9:21</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>radar</b> <sup>[1]</sup> 9:21 <b>ramp</b> <sup>[5]</sup> 21:11 32:16 33:5, 6,9 <b>ramp-up</b> <sup>[2]</sup> 17:18 32:20 <b>randy</b> <sup>[6]</sup> 13:15,18 16:10 33:11 40:16 47:18 <b>randy's</b> <sup>[1]</sup> 21:20 <b>rather</b> <sup>[2]</sup> 13:5 37:21</p>	<p><b>reach</b> <sup>[2]</sup> 11:7 39:21 <b>reaching</b> <sup>[1]</sup> 41:14 <b>read</b> <sup>[1]</sup> 27:22 <b>reading</b> <sup>[2]</sup> 11:13 18:14 <b>ready</b> <sup>[6]</sup> 20:1 24:5 32:15 48:25 51:11,15 <b>really</b> <sup>[14]</sup> 10:18 14:7 15:2 21:5,11 23:20 29:3,14 33: 12 34:1 40:7 49:11,24 50: 11 <b>reason</b> <sup>[3]</sup> 20:21 21:7,10 <b>reasons</b> <sup>[5]</sup> 10:14 18:2,3, 12 21:7 <b>receive</b> <sup>[1]</sup> 3:12 <b>received</b> <sup>[1]</sup> 7:13 <b>receptive</b> <sup>[1]</sup> 38:1 <b>re-certify</b> <sup>[1]</sup> 6:3 <b>recess</b> <sup>[10]</sup> 13:20,23 14:10, 19,21 15:6,16,20 16:1 28:3 <b>reconsideration</b> <sup>[1]</sup> 51: 19 <b>record</b> <sup>[1]</sup> 14:25 <b>recordkeeping</b> <sup>[2]</sup> 4:4 5: 5 <b>reduction</b> <sup>[1]</sup> 50:25 <b>refer</b> <sup>[2]</sup> 30:14 41:19 <b>reference</b> <sup>[7]</sup> 4:20,25 12: 13,16,22 27:20 37:13 <b>refresher</b> <sup>[1]</sup> 39:4 <b>refreshers</b> <sup>[1]</sup> 19:1 <b>reg</b> <sup>[1]</sup> 30:1 <b>register</b> <sup>[4]</sup> 7:11 11:9 43: 16 47:21 <b>registered</b> <sup>[6]</sup> 42:11,13,15 43:7,8 48:21 <b>registration</b> <sup>[1]</sup> 42:4 <b>regular</b> <sup>[1]</sup> 12:21 <b>regulated</b> <sup>[6]</sup> 19:3,6 23:24 29:2 32:8 48:15 <b>regulation</b> <sup>[1]</sup> 51:1 <b>reiterate</b> <sup>[1]</sup> 37:18 <b>remediations</b> <sup>[1]</sup> 8:13 <b>remember</b> <sup>[1]</sup> 28:15 <b>remodelers</b> <sup>[1]</sup> 19:10 <b>renovation</b> <sup>[1]</sup> 3:8 <b>renovation/repair</b> <sup>[1]</sup> 37: 5</p>	<p><b>renovations</b> <sup>[2]</sup> 4:7 8:23 <b>renovator</b> <sup>[1]</sup> 5:8 <b>renovators</b> <sup>[1]</sup> 9:20 <b>repair</b> <sup>[4]</sup> 3:8 8:4,14 12:20 <b>replace</b> <sup>[2]</sup> 9:8 10:1 <b>report</b> <sup>[3]</sup> 14:7,13,20 <b>reporter</b> <sup>[1]</sup> 15:4 <b>reporting</b> <sup>[2]</sup> 5:5 43:14 <b>reports</b> <sup>[1]</sup> 45:3 <b>request</b> <sup>[2]</sup> 28:20,21 <b>require</b> <sup>[4]</sup> 13:20 23:2 35: 17 39:7 <b>required</b> <sup>[3]</sup> 6:4 22:21 36: 18 <b>requirement</b> <sup>[1]</sup> 43:15 <b>requirements</b> <sup>[5]</sup> 4:5 5:3, 6,15 36:17 <b>requires</b> <sup>[4]</sup> 17:9,13 25:19 39:4 <b>resistant</b> <sup>[1]</sup> 20:8 <b>resources</b> <sup>[1]</sup> 31:8 <b>respirators</b> <sup>[1]</sup> 44:16 <b>responsibilities</b> <sup>[2]</sup> 44: 20 45:19 <b>responsibility</b> <sup>[3]</sup> 43:21, 23 45:16 <b>responsible</b> <sup>[1]</sup> 45:9 <b>rest</b> <sup>[2]</sup> 20:12 39:22 <b>revamped</b> <sup>[2]</sup> 31:11 32:12 <b>revoke</b> <sup>[1]</sup> 12:4 <b>revoking</b> <sup>[1]</sup> 5:9 <b>rewrite</b> <sup>[1]</sup> 46:1 <b>rid</b> <sup>[1]</sup> 40:6 <b>risk</b> <sup>[2]</sup> 16:24 17:4 <b>road</b> <sup>[1]</sup> 23:8 <b>roll</b> <sup>[1]</sup> 52:3 <b>roofers</b> <sup>[1]</sup> 19:12 <b>rrp</b> <sup>[5]</sup> 3:10,11,14 4:2 18:22 <b>rule</b> <sup>[57]</sup> 3:9,10,11,14,15,18, 22 4:2,11 7:9,15 8:1,16,17 9:12,16 10:3 11:6 12:14 15: 11 17:7 18:6,8,9,11,14 19: 24 22:7,9,13,15 24:14 25:1, 7 26:13,15 28:14 29:12,15 30:15 31:1,11 32:5 36:4,10, 20 37:5,13,20 38:25 39:2, 12,20 41:12,19 44:3 45:8</p>	<p><b>rules</b> <sup>[19]</sup> 3:7 5:12,17,23 6: 7,8 10:17 11:9,19,20 12:2,8, 18 16:15 34:16 36:12 38: 19 43:19 46:7 <b>run</b> <sup>[5]</sup> 3:12 16:12 23:19 24: 7 35:4 <b>runs</b> <sup>[2]</sup> 3:1 23:17</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>same</b> <sup>[4]</sup> 6:6 8:11 14:20 23: 4 <b>saying</b> <sup>[3]</sup> 14:23 41:23 47: 8 <b>says</b> <sup>[1]</sup> 37:10 <b>scale</b> <sup>[1]</sup> 7:24 <b>scared</b> <sup>[1]</sup> 22:4 <b>scratch</b> <sup>[1]</sup> 23:23 <b>screen</b> <sup>[2]</sup> 9:21 13:21 <b>se</b> <sup>[1]</sup> 29:13 <b>second</b> <sup>[3]</sup> 51:23,24 52:2 <b>section</b> <sup>[3]</sup> 39:14 40:21 45: 17 <b>sector</b> <sup>[1]</sup> 32:8 <b>see</b> <sup>[11]</sup> 14:4,17 15:24 21: 17 25:25 27:15,16 28:2 31: 1,15 39:8 <b>seeks</b> <sup>[1]</sup> 6:22 <b>seems</b> <sup>[1]</sup> 43:17 <b>send</b> <sup>[9]</sup> 20:16 23:8,12 28: 24 33:19 35:11 45:2 49:4 51:17 <b>sense</b> <sup>[1]</sup> 33:22 <b>sent</b> <sup>[3]</sup> 22:20 23:6 34:15 <b>separately</b> <sup>[1]</sup> 37:17 <b>service</b> <sup>[3]</sup> 8:22 9:3 21:13 <b>set</b> <sup>[2]</sup> 38:6,11 <b>several</b> <sup>[2]</sup> 22:13 24:18 <b>share</b> <sup>[1]</sup> 47:14 <b>sharing</b> <sup>[2]</sup> 47:12,16 <b>sharon</b> <sup>[3]</sup> 7:20 19:10 52: 14 <b>short</b> <sup>[3]</sup> 13:20,23 14:19 <b>shot</b> <sup>[2]</sup> 44:5 47:2 <b>siding</b> <sup>[1]</sup> 19:13 <b>significant</b> <sup>[2]</sup> 32:13,20 <b>similar</b> <sup>[1]</sup> 33:11 <b>simply</b> <sup>[2]</sup> 37:14 44:25</p>
--	--	---	---

# Keyword Index

<p> <b>since</b> [4] 16:9,18 35:9 47:2  <b>sir</b> [1] 48:4  <b>sitting</b> [1] 24:1  <b>situation</b> [1] 30:23  <b>six</b> [1] 40:2  <b>slightly</b> [3] 5:19 46:18 47:18  <b>slim</b> [1] 31:12  <b>slowly</b> [2] 32:24,24  <b>small</b> [3] 7:24 12:18 41:11  <b>smaller</b> [1] 10:11  <b>somebody</b> [1] 8:9  <b>someone</b> [1] 26:22  <b>sometime</b> [1] 42:18  <b>somewhere</b> [1] 29:21  <b>sorry</b> [1] 50:16  <b>sort</b> [3] 44:14,17 45:18  <b>specifically</b> [3] 3:7 4:25 6:1  <b>spend</b> [1] 20:18  <b>split</b> [1] 43:22  <b>spread</b> [1] 42:6  <b>squarely</b> [1] 46:8  <b>staff</b> [18] 3:4 7:13 16:11 21:14,20 30:5,13 32:16,21 33:5,6,9,12 41:20,21 49:23 50:12 51:19  <b>staffing</b> [1] 41:24  <b>stand</b> [1] 28:16  <b>standard</b> [2] 8:11 24:20  <b>standards</b> [5] 4:6 5:4 36:16 44:16 45:6  <b>start</b> [6] 18:16 23:22 27:3 37:4 48:7 49:21  <b>state</b> [21] 3:3,11,13,20,24 6:4 16:14,20 35:4 36:12,15 37:8,22 38:6 42:14 46:4,19 47:13,15 50:23,25  <b>statement</b> [2] 18:15 22:8  <b>states</b> [6] 18:5,8,9 20:7 35:1 39:25  <b>statute</b> [1] 46:7  <b>statutory</b> [4] 11:22,23 12:9 46:11  <b>steering</b> [1] 41:15  <b>still</b> [3] 20:24 23:11 39:25  <b>straight</b> [1] 38:9         </p>	<p> <b>strict</b> [1] 22:11  <b>stringent</b> [13] 5:22 22:12,14 24:19 25:9,11 26:8,14,16 36:9,19 39:2,10  <b>strongly</b> [1] 33:13  <b>structuring</b> [1] 38:7  <b>struggling</b> [1] 21:21  <b>stuff</b> [3] 29:9,19 31:12  <b>subchapter</b> [4] 4:22 5:11 27:22 37:14  <b>subject</b> [4] 8:16,17 9:17 10:2  <b>subset</b> [2] 45:7,8  <b>suggesting</b> [1] 35:11  <b>summer</b> [1] 29:10  <b>supervisor</b> [1] 17:2  <b>support</b> [1] 33:14  <b>supposed</b> [1] 44:12  <b>supremacy</b> [1] 37:9  <b>suspending</b> [1] 5:9  <b>sympathetic</b> [1] 31:6  <b>system</b> [1] 37:7         </p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p> <b>tailor</b> [1] 37:14  <b>tailored</b> [1] 5:13  <b>tailoring</b> [1] 5:18  <b>talked</b> [1] 46:22  <b>taller</b> [1] 38:24  <b>tape</b> [1] 44:17  <b>target</b> [3] 11:10 13:1 40:25  <b>targeted</b> [5] 4:8 8:7,8 12:12 13:4  <b>targets</b> [1] 17:11  <b>taught</b> [2] 16:16 18:22  <b>teach</b> [3] 6:12 20:17 25:3  <b>teachers</b> [1] 29:9  <b>tech</b> [1] 36:15  <b>technology</b> [1] 25:4  <b>ten</b> [1] 14:2  <b>tenants</b> [2] 32:19 39:19  <b>terrill</b> [7] 15:1 30:9 32:11 33:8 48:23 49:19 51:7  <b>themselves</b> [1] 22:9  <b>there's</b> [14] 15:7 18:2,3 20:23 21:6 23:11 24:18 25:12 27:19,25 28:1 34:19 47:13,         </p>	<p>           15  <b>they'll</b> [1] 9:8  <b>they've</b> [3] 21:23 47:4,6  <b>thinking</b> [1] 32:3  <b>though</b> [3] 12:16 21:12 33:20  <b>three</b> [3] 21:25 39:6 50:8  <b>throughout</b> [1] 12:2  <b>throw</b> [2] 13:21 34:4  <b>title</b> [2] 4:23 11:24  <b>today</b> [5] 22:10 30:6 37:11 40:13 44:2  <b>today's</b> [2] 3:4 52:25  <b>toenail</b> [1] 19:8  <b>together</b> [1] 49:15  <b>ton</b> [1] 30:13  <b>took</b> [3] 17:8 18:8 38:25  <b>tool</b> [1] 4:13  <b>tooth</b> [1] 19:7  <b>towards</b> [1] 50:3  <b>toxics</b> [3] 3:1 13:16 34:12  <b>track</b> [1] 45:15  <b>tracked</b> [1] 48:22  <b>trade</b> [2] 9:19 10:8  <b>training</b> [6] 4:3 5:14 9:14 19:23 48:17,20  <b>trevor</b> [3] 17:16 24:25 50:15  <b>true</b> [1] 48:10  <b>trumps</b> [1] 37:10  <b>truth</b> [1] 35:7  <b>try</b> [3] 11:6 21:22 38:1  <b>trying</b> [3] 24:10 30:22 33:15  <b>turn</b> [2] 26:23 50:11  <b>twice</b> [1] 27:25  <b>two</b> [15] 17:5 20:18,23 21:25 23:8 26:7 27:10 41:13 42:23,25 46:23 47:13,15,20 50:8  <b>type</b> [1] 3:25         </p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p> <b>ultimately</b> [1] 45:12  <b>under</b> [17] 5:16 6:7,8 8:3 11:18,24 12:4,24 13:6,13 25:1 30:10 40:1 46:6 48:14         </p>	<p>           50:19 51:1  <b>understand</b> [1] 36:3  <b>united</b> [2] 20:7 39:25  <b>unlimited</b> [1] 31:8  <b>unpunished</b> [1] 30:11  <b>unregulated</b> [1] 20:13  <b>until</b> [3] 20:2 42:18 47:24  <b>up</b> [14] 10:5 11:24 13:21 17:20 18:19 19:17 21:11 25:21 28:16 32:5,16 33:5,6,9  <b>upgrade</b> [1] 18:13         </p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p> <b>valid</b> [1] 18:11  <b>violation</b> [1] 30:3         </p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p> <b>wait</b> [1] 21:24  <b>waiting</b> [1] 47:4  <b>waived</b> [3] 25:2,5,13  <b>waiver</b> [1] 25:6  <b>wake</b> [1] 10:5  <b>wanted</b> [5] 15:10 19:25 36:6 47:1 50:16  <b>wanting</b> [1] 8:19  <b>ward</b> [12] 13:9,15,22 16:10 38:10,13 40:16,17 46:5 48:6,11 49:2  <b>way</b> [8] 13:16 15:3 29:25 31:15 40:4 43:4 45:25 46:1  <b>webpage</b> [1] 41:6  <b>whatever</b> [2] 9:9 49:9  <b>whether</b> [8] 8:21 15:16 23:17 37:19,20 49:7,20 50:13  <b>white</b> [2] 52:6,7  <b>whole</b> [3] 24:14 30:12 32:7  <b>who's</b> [1] 12:19  <b>will</b> [27] 3:11,21 4:24 5:12,17 6:4,11,13,24 7:5,6 15:11 22:1,1,3 29:16 35:17,21 42:2,17 44:13,15 45:3,9,19 47:8 50:10  <b>willing</b> [2] 33:1,2  <b>window</b> [1] 19:13  <b>windows</b> [1] 10:1  <b>wings</b> [1] 47:4  <b>wisdom</b> [1] 47:24  <b>within</b> [6] 12:7,13 22:23 23:         </p>
--	---	---	--

# Keyword Index

4 42:14 50:5

**without** [4] 32:3 33:18 40:

4 46:10

**work** [14] 3:25 9:3 15:21

17:10 29:1,7 31:14 32:7 33:

16 35:17 46:18 48:18 49:

15,21

**worker** [1] 17:3

**working** [2] 16:10 32:23

**workplace** [5] 4:5 5:4 36:

16 44:15 45:6

**works** [1] 19:15

**worth** [1] 35:21

**wow** [2] 18:15 21:13

**write** [1] 24:2

**written** [1] 7:12

---

## Y

---

**year** [22] 16:16 17:9 19:2,

17,25 20:3 21:24 22:23 23:

4,7 26:24 35:3 39:7,9 42:3,

5,9,19,20,22 46:23 47:25

**years** [20] 6:3,5,9 9:25 16:

11,21 18:25 21:9 22:22 25:

21 29:4 32:25 34:14 39:6

41:13 42:23,25 43:3,6 47:

20

**yesterday** [2] 18:23 20:18



# AIR QUALITY COUNCIL

## Attendance Record

January 19, 2011

Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Nancy Marshment City of Tulsa	DEQ DEQ	AQD-4
Melody Martin	OGE	martinm1@oge.com
KEN RUFFIN	AEP	Kwruffin@aep.com
Bud Ground	PSO	hlground@aep.com
Neil Brown	EnviroHome	leadbase1@yh.com
DON WHITNEY	TRINITY	
Ford Benham	OGE	benham@f@oge.com
Crystal K. Stearns	DEQ	AQD-4
Rob Singletary	DEQ	702-7173
TREVOR HAMMONS	DEQ	702-7159
Brooks Kimlin	DEQ	AQD-4
Kristine Baranski	kdb@cardinalengineers.com	
Joyce Sheedy	DEQ	
Jana Hinson	DEQ	
DAVID GAMBLE	CONOCO PHILIPS	(580) 767-2862
FRANCES SAUNDERS	TINKER frances.saunders@tinker.af.mil	
Taroddy Graves Denwood	ENERCON	405-314-8975
Mark Lawson	Spirit AeroSystems	Mark.Lawson@spiritaero.com
Jim Haught	AQC	
Lundy Riger	AES	Lundy.Riger@AES.com
Gary Keele	Hall Still	gary.keele@hallstill.com
Terril Pyle	OMPA	tpyle@ompa.com
Kathryn Chewley	IP	Kathryn.chewley@ipaper.com
Deb Carter	DEQ	702-4155



## AIR QUALITY COUNCIL

### Attendance Record

January 19, 2011

Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Laura Herron	OCHE	herronlk@ose.com
JASON LIPSCOMB	OGIE	lipscobjb@oge.com
Kendal Steymann	DEQ	
MELANIE FOSTER	DEQ	
Madison Carey	DEQ	
Heather Lerch	DEQ	
Lydia Patitsas	OSN/SGC	mark4lydra@cox.net
Kavan Williams	DEQ	
Montelle Clark	DEQ-ARAC	
Steve Landers	GP	
Michael Swift	Buzzi Unicem	
Brenda Daniel Tinker	AFB	brenda.daniel.ctr@tinker.af.mil
Derek Kirad	CH2MHill	
Rhonda Jeffries	ODEQ	
Randy Ward	ODEQ	
Christopher Kemstrom	DEQ	
Lance Lodes	Enogex	
Perry Friedrich	GRDA	
Aaron Yotter	Stattech	
Angie Burckhalter	OIPA	ABURCKHALTER@OIPA.COM
Gerald Butcher	WFEC	g_butcher@wfec.com
Jim Bennett	EFED	
MARK GIBBS	DEQ	
Blair Brown	Stantec Env.	