

REGULAR MEETING/HEARING AGENDA
AIR QUALITY ADVISORY COUNCIL
October 5, 2011, 9:00 a.m.
DEQ Multipurpose Room
707 North Robinson Avenue
Oklahoma City, OK

Please turn off cell phones.

1. **Call to Order** - Laura Lodes, Chair
2. **Roll Call** - Myrna Bruce
3. **Approval of Minutes** - July 20, 2011 Regular Meeting
4. **Meeting Schedule for Calendar Year 2012** - Discussion and action by Council
5. **Public Rulemaking Hearings**
 - A. **OAC 252:100-1. General Provisions**
OAC 252:100-8. Permits for Part 70 Sources

The Department is proposing to modify Subchapters 1 and 8 to include the U.S. Environmental Protection Agency's (EPA's) recent changes to the Prevention of Significant Deterioration (PSD) and Part 70 (Title V) programs regarding permitting of CO₂ emissions from certain biomass sources. The proposed modifications will prevent the State rule from being perceived as more stringent than the federal rule. Also, the Department is proposing to make changes to OAC 252:100-8-4. In addition, due to errors in the *Oklahoma Register* published June 15, 2011, the Department is proposing a series of corrections to Subchapters 1 and 8. The Department proposes to make other nonsubstantive changes in the sections of the rules that are being revised.

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

B. OAC 252:100-31. Control of Emission of Sulfur Compounds

The Department is proposing changes to Subchapter 31, Control of Emission of Sulfur Compounds, to clarify the language and to bring the allowable sulfur dioxide (SO₂) ambient air limits set forth in OAC 252:100-31-7 into line with the requirements of the recently-enacted change to the SO₂ National Ambient Air Quality Standards (NAAQS). In addition, the Department is proposing to add requirements for fuel-burning equipment that use an alternative fuel. The Department is also proposing to add a new section 252:100-31-4, which aligns Subchapter 31 excess emission reporting requirements with those of 252:100-9 for facilities that are also covered by a 40 CFR Part 60 emission limit.

1. Presentation - Brooks Kirlin, P.E., Air Quality Division (AQD)
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

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

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

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

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

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

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

- 6. Division Director's Report** - Beverly Botchlet-Smith, Assistant Division Director
- 7. New Business** - Any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.
- 8. Adjournment** - The next regular meeting is tentatively scheduled for Wednesday, January 18, 2012 in Oklahoma City, Oklahoma.

Lunch break if necessary