

**MINUTES
ENVIRONMENTAL QUALITY BOARD
JUNE 16, 2015
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA CITY, OKLAHOMA**

Official EQB Approved
On September 15, 2015

Notice of Public Meeting – The Environmental Quality Board (Board) convened for a Regular Meeting at 9:30 a.m., at the Department of Environmental Quality, 707 North Robinson, Oklahoma City, Oklahoma. This meeting was held in accordance with 25 O.S. Section 311, with notice of the meeting given to the Secretary of State on November 17, 2014. The agenda was mailed to interested parties on June 5, 2015, and was posted at the DEQ on June 15, 2015. Ms. Jan Kunze, Chair, called the meeting to order. Ms. Quiana Fields called roll and a quorum was confirmed. Dr. Hammon talked on safety precautions in case of an emergency. Ms. Kunze welcomed new Board member, Mayor Homer Nicholson.

MEMBERS PRESENT

Daniel Blankenship
David Griesel
Tracy Hammon
James Kinder
Jan Kunze
Steve Mason
Tim Munson
Homer Nicholson
Loretta Turner
Cheryl Vaught
John Wendling

DEQ STAFF PRESENT

Scott Thompson, Executive Director
Jimmy Givens, Deputy Executive Director
Martha Penisten, General Counsel
Michelle Wynn, Legislative Liaison
Eddie Terrill, Air Quality Division
Lloyd Kirk, Office of External Affairs
Shellie Chard-McClary, Water Quality Division
Mark Hildebrand, Water Quality Division
Chris Armstrong, State Environmental Laboratory Services
Gary Collins, Environmental Complaints & Local Services
Hillary Young, Land Protection Division
Martha Grafton, Land Protection Division
Kelly Dixon, Land Protection Division
Saba Tahmassebi, Land Protection Division
Betsey Streuli, Environmental Attorney Supervisor
Skylar McElhaney, Public Information Officer
Erin Hatfield, Public Information Officer
Cindy Przekurat, Executive Director's Office
Amber Miller, Administrative Services Division
Kathy Aebischer, Administrative Services Division
Tim Ward, Office of External Affairs
Jamie Henson, Water Quality Division
Quiana Fields, Board & Council Secretary

MEMBERS ABSENT

Shannon Ferrell
Billy Sims

OTHERS PRESENT

Clayton Eubanks, Office of the Attorney General
Duane Winegardner, Water Quality Management Advisory Council
Renee Jegelewicz, Court Reporter

Approval of Minutes – Mr. Kinder moved to approve the Minutes from the February 20, 2015 Regular Meeting. Mr. Griesel made the second.

transcript pages 9 - 11

Daniel Blankenship	Yes	Homer Nicholson	Yes
David Griesel	Yes	Loretta Turner	Yes
Tracy Hammon	Yes	Cheryl Vaught	Yes
James Kinder	Yes	John Wendling	Yes
Steve Mason	Yes	Jan Kunze	Yes
Tim Munson	Yes		

Rulemaking – OAC 252:4 Rules of Practice and Procedure – Ms. Martha Penisten, General Counsel of the DEQ, stated the DEQ is proposing to amend OAC 252:4, Subchapter 1, General Provisions, as a result of statutory changes that eliminated the Laboratory Services Advisory Council and the Waterworks and Wastewater Works Operator Certification Advisory Council and increased the membership of the Solid Waste Management Advisory Council and the Water Quality Management Advisory Council. Following a question by the Board and none by the public, Mr. Blankenship moved to approve and Mr. Wendling made the second.

transcript pages 11 - 13

Daniel Blankenship	Yes	Homer Nicholson	Yes
David Griesel	Yes	Loretta Turner	Yes
Tracy Hammon	Yes	Cheryl Vaught	Yes
James Kinder	Yes	John Wendling	Yes
Steve Mason	Yes	Jan Kunze	Yes
Tim Munson	Yes		

Rulemaking – OAC 252:652 Underground Injection Control – Ms. Kunze called upon Mr. Duane Winegardner, Chair of the Water Quality Management Advisory Council (WQMAC), to present the rule. Mr. Winegardner stated the Department is proposing to amend OAC 252:652 in order to (1) incorporate by reference the federal underground injection control regulations revised as of July 1, 2014, excluding any regulations pertaining to Class VI wells; (2) amend Subchapter 1 by removing the annual \$250 facility monitoring fee for Class I, III and V injection wells; (3) create a new Subchapter 11 to provide rules for regulating Class V Drinking Water Treatment Residual wastewater injection wells; and (4) correct outdated citations. Following no questions or comments by the Board and none by the public, Ms. Kunze called for a motion. Mr. Griesel moved to approve and Mr. Munson made the second.

transcript pages 13 - 16

Daniel Blankenship	Yes	Homer Nicholson	Yes
David Griesel	Yes	Loretta Turner	Yes
Tracy Hammon	Yes	Cheryl Vaught	Yes
James Kinder	Yes	John Wendling	Yes
Steve Mason	Yes	Jan Kunze	Yes
Tim Munson	Yes		

Report on 2015 Legislative Session – Mr. Jimmy Givens, Deputy Executive Director of the DEQ, gave a presentation on the 2015 legislation session.

transcript pages 16 - 30

Executive Director's Report – Mr. Scott Thompson, Executive Director of the DEQ, gave a presentation that included reports on state and federal mandates as well as budget cuts and projections. Ms. Kathy Aebischer, Chief Financial Officer of the DEQ, also presented budget information as part of Mr. Thompson's report.

transcript pages 30 - 39

DEQ Capital Budget Request – Mr. Thompson stated that the capital budget requests for State Fiscal Year 2017 (beginning July 1, 2016), must be submitted to the Office of Management and Enterprise Services (OMES) by July 1, 2015. The DEQ may have a need for funds to make capital improvements to its main office building and parking garage structure. Mr. Thompson called upon Ms. Aebischer to give an overview of the request. Following questions and comments by the Board and none by the public, Mr. Mason moved to approve the DEQ capital budget request. Mr. Griesel made the second.

transcript pages 40 - 52

Daniel Blankenship	Yes	Homer Nicholson	Yes
David Griesel	Yes	Loretta Turner	Yes
Tracy Hammon	Yes	Cheryl Vaught	Yes
James Kinder	Yes	John Wendling	Yes
Steve Mason	Yes	Jan Kunze	Yes
Tim Munson	Yes		

Employee Disclosures – Ms. Penisten stated the Environmental Quality Code requires certain DEQ employees involved in reviewing, issuing or enforcing permits to disclose financial interests they hold in entities regulated by the DEQ. The DEQ is required to submit these disclosures to the Board and make them part of the minutes. This year there were three DEQ employees that submitted disclosures: Scott Thomas, AQD; Ellis Fischer, AQD; and Brittany Downs, LPD.

transcript pages 52 - 53

Discussion of Board Packet Delivery Options – Ms. Kunze advised the Board members to give feedback on receiving the Board packet information electronically. The Board was pleased with receiving packets electronically while waiting on the hardcopy in the mail. Ms. Fields will work with IT to get packets word searchable for future Board meetings.

transcript pages 53 - 56

New Business – Mr. Mason wanted to know the status on the radiation rules that were rejected by the Board at the February meeting. Ms. Penisten stated they are being redone and should be presented at the September Board meeting.

transcript pages 56

Next Meeting – The next scheduled meeting will be September 15, 2015 at the Roman Nose State Park Lodge.

Adjournment – Ms. Kunze called for a motion to adjourn. Mr. Mason moved to adjourn and Mr. Kinder made the second. Meeting adjourned at 11:00 a.m.

transcript pages 56 - 57

Daniel Blankenship	Yes	Homer Nicholson	Yes
David Griesel	Yes	Loretta Turner	Yes
Tracy Hammon	Yes	Cheryl Vaught	Yes
James Kinder	Yes	John Wendling	Yes
Steve Mason	Yes	Jan Kunze	Yes
Tim Munson	Yes		

The transcript and sign-in sheet become an official part of these Minutes.

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<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">TRANSCRIPT OF PROCEEDINGS OF THE OKLAHOMA ENVIRONMENTAL QUALITY BOARD ON JUNE 16, 2015, AT 9:30 A.M. HELD IN OKLAHOMA CITY, OKLAHOMA</p> <p style="text-align: center;">REPORTED BY RENEE D. JEGELEWICZ, CSR #1702</p>	<p>1</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">* * * PROCEEDINGS * * *</p> <p>MS. KUNZE: I'd ask everyone to take their seats. I would like to call the June meeting to order. The June 16th, 2015, regular meeting of the Environmental Quality Board has been called according to the Oklahoma Open Meeting Act, Section 311 of Title 25 of the Oklahoma Statutes.</p> <p>Notice was filed with the Secretary of State on November 17th, 2014. Agendas were mailed to interested parties on June 5th, 2015, and were posted at the DEQ facility on June 15th, 2015. Only matters appearing on a posted agenda may be considered.</p> <p>If this meeting is continued or reconvened, we must announce today the date, time and place of the continued meeting, and the agenda for such continuation will remain the same as today's agenda.</p> <p>And with that out of the way, I'll say welcome to everyone at the Environmental Quality Board Meeting. I am going to ask Dr. Hammon to start us off with some thoughts and maybe some logistics of the facility. Tracy?</p> <p>DR. HAMMON: Jan asked me to give a brief safety moment to the group and I think it's fantastic to start these meetings with safety moments. It's</p>	<p>3</p>
<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">* * MEMBERS OF THE BOARD * *</p> <p>PRESENT:</p> <p>DANIEL BLANKENSHIP DAVID GRIESEL TRACY HAMMON JAMES KINDER JAN KUNZE STEVE MASON TIM MUNSON HOMER NICHOLSON LORETTA TURNER CHERYL VAUGHT JOHN WENDLING</p> <p>ABSENT:</p> <p>SHANNON FERRELL BILLY SIMS</p>	<p>2</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>something I do typically in my workplace at Phillips 66.</p> <p>So, a couple of housekeeping items. Rest rooms are behind the elevator lobby, there are men's and women's rest rooms back there.</p> <p>My understanding is that today they're doing some sprinkler system checking. Should an alarm go off, we will take direction from the DEQ staff as well as in the case of an emergency. So, if the alarms go off for other than the testing, we'll also take direction from the staff.</p> <p>So, studies show that 70 percent of workplace mistakes are caused by poor communication, so I wanted to talk just real briefly on communication today.</p> <p>It's something important to me this summer.</p> <p>We have 20 agency interns with us at my company and they're new to our environment. We have them out at refineries and other of our locations. And it's really important that we train them well in safety and we communicate that well with them.</p> <p>And I'm in the process of training a new driver at my house, my son just got his permit three weeks ago. And you realize how critical communication is, because they follow what you say. So, and coming – you know, parents are sort of a hierarchy of respect</p>	<p>4</p>

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<p>5</p> <p>1 there and authority figures, as are people where our 2 interns are or in some workplace environments. So, 3 it's important to watch what you say and to 4 communicate what you mean. 5 My son came back from a driving lesson and 6 talked about his instructor who told him he had told 7 the kid to turn left, and the kid turned left into a 8 house, and this was relayed to my son. And he meant 9 up at the intersection, but he hadn't said, "Turn left 10 at the intersection." 11 And we found that, too, in giving directions 12 with a driver is that you have to be really clear and 13 precise and say things like, "Check your mirrors. 14 When it's safe to do so, move into the right-hand 15 lane." 16 So, it's one of the -- that communicating 17 clearly is key. Don't omit important details that you 18 might take for granted but someone else may not have 19 that perspective on. The information is not for you, 20 it is for someone else. 21 So, five tips to improve workplace safety 22 communication. Customize your safety information to 23 your audience. Explain the benefits or the why of 24 what you're telling them. Repeat your message 25 multiple times using different communication themes;</p>	<p>7</p> <p>1 task force on the Collection Distribution and 2 Enforcement of Municipal Sales Tax. I can imagine 3 what all those meetings are like. 4 The Oklahoma Municipal Power Authority Board 5 and committees of that group. The Ponca City Chamber 6 Retail Task Force, Northwest Oklahoma Workforce 7 Investment Board, the Lion's Club and the Ponca City 8 Chamber of Commerce. And there's others, but I think 9 you get the idea that Mr. Nicholson stays very busy 10 and his input is valued. 11 His background is retired from the U.S. Army. 12 He's held numerous positions at ConocoPhillips and he 13 owns Nicholson Auction and Real Estate. Education, 14 I'm happy to say he attended Oklahoma State, business 15 and industrial arts major. And there were several 16 different auctioneer training licenses and things he 17 holds. And, in addition, has a private pilot's 18 license. 19 So, I'll say welcome, Homer. 20 MR. NICHOLSON: Thank you, appreciate it. 21 MS. KUNZE: And anything you would like to say? 22 MR. NICHOLSON: Well, I'm honored to be here, 23 honored to be on the Board. I'm very excited to have 24 this opportunity. Thanks to Scott for allowing me to 25 do that. I look forward to it. I've kind of had a</p>
<p>6</p> <p>1 tell stories, people remember stories. And then 2 follow up with action. People want to see that you 3 believe what you say and you practice what you preach. 4 MS. KUNZE: Thank you, Tracy. 5 A few other things I get to do before we start 6 with the roll call and get into the agenda of today's 7 meeting. And I'm very, very excited to introduce and 8 we have a new Environmental Quality Board member. And 9 I want to introduce Mr. Homer Nicholson. 10 And I had the chance to review his credentials, 11 his resume. And I thought, "I'll pick out a few 12 highlights," and there's quite a few highlights to 13 pick from. After I got through reading that I thought 14 we're very lucky that you were able to take time to be 15 on the Board with us. So, I want to say welcome. 16 Mr. Nicholson is the Mayor of Ponca City since 17 2007. He has a lot of community and state 18 involvement. A few of those -- and, again, I was 19 trying to pick out the highlights. The Mayors Council 20 of Oklahoma, the Oklahoma Municipal League Board of 21 Directors. He serves on committees there, like the 22 Legislative Committee. 23 He's on the Governor's Council on Workforce and 24 Economic Development. He serves on the Board of 25 Trustees for the University Center of Ponca City, a</p>	<p>8</p> <p>1 few meetings with some of the DEQ people in the past 2 and kind of got to know a few of the people around 3 here. So, I'm pretty excited to be here and look 4 forward to working with everybody. Thank you. 5 MS. KUNZE: One other announcement. Shannon 6 Ferrell, who fills the agricultural industry seat was 7 also reappointed, so he will now be serving a full 8 term. I guess he gave us a trial run and decided 9 we're not so bad and we're going to enjoy this if we 10 can. 11 I did want to mention, at the conclusion of 12 today's meeting there will be an opportunity for a 13 public forum and anybody that wishes to speak, there's 14 a sign-in sheet over at the handout table. Be sure and 15 sign in. There will be that opportunity. 16 And then at the conclusion of the meeting, we 17 have been invited to take a tour of the Water4 18 Foundation. And at the end of the meeting I'll tell 19 everybody about that. 20 And I think that has us covered, Quiana. And 21 at this time let's do a roll call. 22 MS. FIELDS: Mr. Blankenship? 23 MR. BLANKENSHIP: Present. 24 MS. FIELDS: Mr. Ferrell is absent. 25 Mr. Griesel?</p>

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9	<p>1 MR. GRIESEL: Here.</p> <p>2 MS. FIELDS: Dr. Hammon?</p> <p>3 DR. HAMMON: Here.</p> <p>4 MS. FIELDS: Mr. Kinder?</p> <p>5 MR. KINDER: Here.</p> <p>6 MS. FIELDS: Mr. Mason?</p> <p>7 MR. MASON: Present.</p> <p>8 MS. FIELDS: Mr. Munson?</p> <p>9 MR. MUNSON: Here.</p> <p>10 MS. FIELDS: Mr. Nicholson?</p> <p>11 MR. NICHOLSON: Present.</p> <p>12 MS. FIELDS: Mr. Sims is absent.</p> <p>13 Ms. Turner?</p> <p>14 MS. TURNER: Here.</p> <p>15 MS. FIELDS: Ms. Vaught?</p> <p>16 MS. VAUGHT: Present.</p> <p>17 MS. FIELDS: Mr. Wendling?</p> <p>18 MR. WENDLING: Here.</p> <p>19 MS. FIELDS: Ms. Kunze?</p> <p>20 MS. KUNZE: Here.</p> <p>21 MS. FIELDS: We have a quorum.</p> <p>22 MS. KUNZE: Thank you. With that, Agenda Item</p> <p>23 Number 3 is the Approval of the Minutes from the</p> <p>24 February 20th, 2015 regular meeting. And I hope</p> <p>25 everyone had a chance to review those.</p>	11
10	<p>1 MR. KINDER: I'll make a motion to approve.</p> <p>2 MR. GRIESEL: I'll second.</p> <p>3 MS. KUNZE: We have a motion and a second to</p> <p>4 approve the minutes. Roll call.</p> <p>5 MS. FIELDS: Mr. Blankenship?</p> <p>6 MR. BLANKENSHIP: Yes.</p> <p>7 MS. FIELDS: Mr. Griesel?</p> <p>8 MR. GRIESEL: Yes.</p> <p>9 MS. FIELDS: Dr. Hammon?</p> <p>10 DR. HAMMON: Yes.</p> <p>11 MS. FIELDS: Mr. Kinder?</p> <p>12 MR. KINDER: Yes.</p> <p>13 MS. FIELDS: Mr. Mason?</p> <p>14 MR. MASON: Yes.</p> <p>15 MS. FIELDS: Mr. Munson?</p> <p>16 MR. MUNSON: Yes.</p> <p>17 MS. FIELDS: Mr. Nicholson?</p> <p>18 MR. NICHOLSON: Yes.</p> <p>19 MS. FIELDS: Ms. Turner?</p> <p>20 MS. TURNER: Yes.</p> <p>21 MS. FIELDS: Ms. Vaught?</p> <p>22 MS. VAUGHT: Yes.</p> <p>23 MS. FIELDS: Mr. Wendling?</p> <p>24 MR. WENDLING: Yes.</p> <p>25 MS. FIELDS: Ms. Kunze?</p>	12
9	<p>1 MS. KUNZE: Yes.</p> <p>2 MS. FIELDS: Motion passed.</p> <p>3 MS. KUNZE: Thank you.</p> <p>4 We'll now move into the rulemaking portion of</p> <p>5 Item Number 4 and I will turn that over to Martha</p> <p>6 Penisten.</p> <p>7 MS. PENISTEN: This is Chapter 4, Rules of</p> <p>8 Practice and Procedure. The proposed revisions are</p> <p>9 necessary to update the general provisions section of</p> <p>10 Chapter 4. As a result the statutory changes that</p> <p>11 became effective in November of 2013 when DEQ's</p> <p>12 Laboratory Services Advisory Council and the</p> <p>13 Waterworks and Wastewater Works Advisory Council were</p> <p>14 eliminated.</p> <p>15 Additionally, this rule reflects the fact that</p> <p>16 the five remaining councils no longer have the same</p> <p>17 number of members. Air Quality Council, Hazardous</p> <p>18 Waste Council and the Radiation Council all still have</p> <p>19 nine members, since statutory changes have increased</p> <p>20 Water Quality Council to twelve members, and Solid</p> <p>21 Waste Council has ten members now.</p> <p>22 Since the proposed rulemaking pertains to</p> <p>23 administrative and organizational sections of</p> <p>24 Chapter 4 and no council had jurisdiction to consider</p> <p>25 these rules, they've been brought directly to the</p>	11
10	<p>1 Board. The DEQ recommends that the Board approve this</p> <p>2 proposed rulemaking.</p> <p>3 MS. KUNZE: Thank you, Martha. I'll ask if</p> <p>4 there are any questions or discussion by the Board?</p> <p>5 MR. BLANKENSHIP: So, simply stated this is</p> <p>6 just bringing the rule into compliance or consistent</p> <p>7 with the statutes recently passed?</p> <p>8 MS. PENISTEN: That's correct.</p> <p>9 MR. BLANKENSHIP: Thank you.</p> <p>10 MS. KUNZE: Are there any other questions or</p> <p>11 discussions by the Board?</p> <p>12 Are there any questions, comments or</p> <p>13 discussion by the audience? Being none, I'll ask the</p> <p>14 Board for a proclamation?</p> <p>15 MR. BLANKENSHIP: I move for approval.</p> <p>16 MS. KUNZE: We have a motion, do we have a</p> <p>17 second?</p> <p>18 MR. WENDLING: Second.</p> <p>19 MS. KUNZE: Motion and second. Can we do a</p> <p>20 roll call.</p> <p>21 MS. FIELDS: Mr. Blankenship?</p> <p>22 MR. BLANKENSHIP: Yes.</p> <p>23 MS. FIELDS: Mr. Griesel?</p> <p>24 MR. GRIESEL: Yes.</p> <p>25 MS. FIELDS: Dr. Hammon?</p>	12

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<p style="text-align: right;">13</p> <p>1 DR. HAMMON: Yes.</p> <p>2 MS. FIELDS: Mr. Kinder?</p> <p>3 MR. KINDER: Yes.</p> <p>4 MS. FIELDS: Mr. Mason?</p> <p>5 MR. MASON: Yes.</p> <p>6 MS. FIELDS: Mr. Munson?</p> <p>7 MR. MUNSON: Yes.</p> <p>8 MS. FIELDS: Mr. Nicholson?</p> <p>9 MR. NICHOLSON: Yes.</p> <p>10 MS. FIELDS: Ms. Turner?</p> <p>11 MS. TURNER: Yes.</p> <p>12 MS. FIELDS: Ms. Vaught?</p> <p>13 MS. VAUGHT: Yes.</p> <p>14 MS. FIELDS: Mr. Wendling?</p> <p>15 MR. WENDLING: Yes.</p> <p>16 MS. FIELDS: Ms. Kunze?</p> <p>17 MS. KUNZE: Yes.</p> <p>18 MS. FIELDS: Motion passed.</p> <p>19 MS. KUNZE: Thank you.</p> <p>20 Item Number 5 is also rulemaking and it's</p> <p>21 pertaining to the underground injection control. And</p> <p>22 I'm going to turn it over to Mr. Duane Winegardner for</p> <p>23 a presentation. Duane?</p> <p>24 MR. WINEGARDNER: Good morning. I'm Duane</p> <p>25 Winegardner and I'm the Chair of the Water Quality</p>	<p style="text-align: right;">15</p> <p>1 Chapter 652-1-6 by removing the annual \$250 facility</p> <p>2 monitoring fee for the Class I, III and V wells. This</p> <p>3 is not necessary for the program implementation or</p> <p>4 administration.</p> <p>5 And, lastly, we propose to create a new</p> <p>6 Subchapter 11, which would provide rules for</p> <p>7 regulating Class V Drinking Water Treatment Residuals</p> <p>8 in injection wells.</p> <p>9 Do you have any questions concerning this?</p> <p>10 MS. KUNZE: Are there any questions or</p> <p>11 discussion by the Board? Any questions or discussion</p> <p>12 from the public?</p> <p>13 Looks like you're getting off easy, Duane.</p> <p>14 MR. WINEGARDNER: Thank you. I appreciate</p> <p>15 that.</p> <p>16 MS. KUNZE: With that, I'll ask for action by</p> <p>17 the Board.</p> <p>18 MR. GRIESEL: So moved for approval.</p> <p>19 MR. MUNSON: Second</p> <p>20 MS. KUNZE: I have a motion and a second. Roll</p> <p>21 call.</p> <p>22 MS. FIELDS: Mr. Blankenship?</p> <p>23 MR. BLANKENSHIP: Yes.</p> <p>24 MS. FIELDS: Mr. Griesel?</p> <p>25 MR. GRIESEL: Yes.</p>
<p style="text-align: right;">14</p> <p>1 Management Advisory Council and we bring you</p> <p>2 greetings. We are kind of the screening group that</p> <p>3 reviews the rules and studies them carefully before we</p> <p>4 propose them to you. Thank you.</p> <p>5 Today we have proposed changes to Chapter 652</p> <p>6 – is this thing on? There is that better?</p> <p>7 MS. FIELDS: Yes.</p> <p>8 MR. WINEGARDNER: It went off. The proposed</p> <p>9 rules changes were unanimously recommended for</p> <p>10 adoption by the Water Quality Council on May 5th,</p> <p>11 2015. First of all, we went to amend Chapter</p> <p>12 252 652-1-3 and 1-5 and 3-1 to update incorporations</p> <p>13 by reference and citations to this chapter.</p> <p>14 For subchapters 1-3, updating the</p> <p>15 incorporations by reference, the only significant</p> <p>16 change is the addition of Class VI injection well</p> <p>17 rules. Several years have passed since the last</p> <p>18 update to this group.</p> <p>19 The State of Oklahoma has not sought</p> <p>20 authorization from EPA to administer the Class VI</p> <p>21 injection well program, that's the carbon</p> <p>22 sequestration. Therefore, the Department is not</p> <p>23 incorporating Class VI rules in this update.</p> <p>24 For Chapters 1 -5 and 3-1, the Department is</p> <p>25 updating archaic citations. We propose to amend</p>	<p style="text-align: right;">16</p> <p>1 MS. FIELDS: Dr. Hammon?</p> <p>2 DR. HAMMON: Yes.</p> <p>3 MS. FIELDS: Mr. Kinder?</p> <p>4 MR. KINDER: Yes.</p> <p>5 MS. FIELDS: Mr. Mason?</p> <p>6 MR. MASON: Yes.</p> <p>7 MS. FIELDS: Mr. Munson?</p> <p>8 MR. MUNSON: Yes.</p> <p>9 MS. FIELDS: Mr. Nicholson?</p> <p>10 MR. NICHOLSON: Yes.</p> <p>11 MS. FIELDS: Ms. Turner?</p> <p>12 MS. TURNER: Yes.</p> <p>13 MS. FIELDS: Ms. Vaught?</p> <p>14 MS. VAUGHT: Yes.</p> <p>15 MS. FIELDS: Mr. Wendling?</p> <p>16 MR. WENDLING: Yes.</p> <p>17 MS. FIELDS: Ms. Kunze?</p> <p>18 MS. KUNZE: Yes.</p> <p>19 MS. FIELDS: Motion passed.</p> <p>20 MS. KUNZE: We're getting ready to do a little</p> <p>21 bit of shuffling. Agenda Item Number 6, Mr. Jimmy</p> <p>22 Givens, the DEQ's Deputy Executive Director, is going</p> <p>23 to give us a report on the 2015 legislative session.</p> <p>24 And we're going to use the screen behind us, so I'm</p> <p>25 going to ask – the head probably wants to move to the</p>

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<p style="text-align: right;">17</p> <p>1 side and or we're going to blinded by Jimmy's tight 2 here. So, Jimmy. 3 MR. GIVENS: Morning, members of the Board and 4 -- never was any good with technology, which probably 5 means I shouldn't try and do PowerPoints. Good 6 morning members of the Board and members in the 7 audience. 8 We will -- you know, every year for the past 9 seven or eight years, I've gotten up and given this 10 sort of presentation and I always promise to be brief, 11 and so far I'm like 0 for 15, or something like that. 12 I intend to change that today. We will go through 13 this rather quickly. 14 Obviously, if you have questions at the end I 15 will attempt to answer them. If you have individual 16 questions, we can cover those after the meeting is 17 over. 18 To begin with, just a few high profile issues 19 that came through the legislature this time. A lot of 20 time spent on budget, as you would imagine with the 21 budget shortfalls; quite a bit of time spent on 22 education, especially things like charter schools, 23 virtual charter schools; quite a bit of time spent on 24 energy both from an oil and gas perspective and wind 25 energy; and, of course, the museums, the OKPOP Museum</p>	<p style="text-align: right;">19</p> <p>1 \$5,000 range for this particular use of -- or this 2 particular injection of treatment residuals. 3 However, I just have to share with you that we 4 tried to do something that we thought was just purely 5 cleanup in association with the primary purpose of the 6 bill. 7 There for 20, or 25 or 30 years, I don't know 8 how long, there has been a parenthetical in the 9 existing statute. The words of the statute say that 10 we will charge two-hundredths of a cent for injection 11 of nonhazardous liquid waste, that is the state fee. 12 Well, two-hundredths of a cent written out, 13 there was a parenthetical in there that was 0.002, 14 that's what the statute said. Well, no matter how you 15 slice it, whether you're talking cents or dollars .002 16 not two-one-hundredths of the cent. 17 We thought, how convenient, we have a statute 18 open anyway, we will correct this parenthetical. If 19 you are interested, ask Michelle Wynn how much fun it 20 was to get that parenthetical corrected. Math 21 apparently was not among the strongest suits of some 22 the legislative staff members. I'll let it go at 23 that. 24 House Bill 1826 -- and by the way, we're moving 25 on to other environmental bills besides DEQ request</p>
<p style="text-align: right;">18</p> <p>1 in Tulsa and the American Indian Cultural Center and 2 Museum here in Oklahoma City bond issues related to 3 those two. 4 Moving more directly into what impacts DEQ. 5 You will recall, those of you who were on the Board 6 last fall, we talked about the request bills that we 7 wanted to try to pursue this legislative session. Two 8 of the three that we proposed did make it through the 9 process. 10 First of all, House Bill 1450 allows our chief 11 engineer to sign Tier I and II permits. Up until now 12 only the executive director or division director could 13 sign a Tier II permit, and now that we have an agency 14 chief engineer it makes sense that he or she be able 15 to sign those permits as well. 16 Senate Bill 208 reduced the state fee for 17 injection drinking water treatment residuals. This is 18 an effort just to allow primarily municipalities to 19 have another option for disposal of their treatment 20 residuals from the treatment of drinking water. 21 You know, it's an apparently simple concept. 22 We reduce the -- actually reduce the range of the fee 23 for this particular purpose. It would have been 24 10,000 to \$50,000, that's what is in the existing 25 statute. And, so, this simply makes it a 2,000 to</p>	<p style="text-align: right;">20</p> <p>1 bills now. And I'll mention the third request bill a 2 little bit later on. House Bill 1826 not a DEQ 3 request bill, but one that we were invited to 4 participate in helping to draft and we did have heavy 5 involvement in it. A lot of interest from OML and a 6 number of municipalities to try to get a statute 7 passed that would allow use of wastewater, the water 8 coming off of splash pads for purposes of irrigation, 9 say some city property or whatever. And we were 10 agreeable to that as long as the city adopts some form 11 of ordinance that mimics some of the requirements we 12 have. It doesn't require that you go through a full 13 permitting -- it doesn't require them to go through a 14 full permitting process with us if they adopt an 15 ordinance. It contains some fairly basic protections 16 for the use of this water. So, that made it through 17 fine. 18 Senate Bill 482 was a bill that was requested 19 by the only hazardous waste disposal site in 20 Oklahoma. EPA came out with a guidance document, a 21 memo that basically changed 25 or 30 years of 22 practice. And we have required the building of 23 entirely new storage units for waste that was simply 24 waiting the results of analyticals to determine 25 whether it could be land disposed.</p>

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<p style="text-align: right;">21</p> <p>1 Most of you know that there are certain 2 restrictions on waste that can be land disposed. They 3 were putting the waste in a staging disposal unit, and 4 then when it passed the analytical it would be 5 basically shoved into the unit and covered. 6 EPA's interpretation would have reversed that 7 practice. And we got on board with this simply 8 because we think that regardless of which side you 9 come out on on that particular issue, if you're going 10 to change 20 or 30 years' worth of practice for 11 Oklahoma and elsewhere in the country, it deserves to 12 go through some sort of public participation 13 rulemaking process. 14 So, quite honestly the bill itself is more of a 15 message bill than anything else to say, "EPA, we 16 disagree with the approach that you're taking on 17 this." We're still in conversation with EPA to see 18 how they will end up deciding they want to proceed on 19 it. 20 Senate Bill 658 was the Department of Labor 21 request bill. When it comes to dealing with asbestos, 22 historically Department of Labor has been primarily 23 responsible for worker safety, people who are actually 24 doing the removal of the asbestos and our NESHAP 25 regulations kick in and disposal regulations kick in</p>	<p style="text-align: right;">23</p> <p>1 Just a few government operations, measures, 2 I'll mention briefly. Senate Bill 189 was styled as 3 Performance-Informed State Budgeting. It's a little 4 bit of a shift in focus from zero-based budgeting. 5 And the theory is that each agency ought to have 6 specific objectives that fit within five overarching 7 state goals; things like food safety, for example. 8 Well, the theory is fine. It's a little bit 9 tricky when you start trying to incorporate scores, 10 hundreds of state agencies and make all of their 11 functions and objectives fit within five overarching 12 goals. So, that's going to be a little bit tricky, I 13 think, to work our way through to determine what our 14 objectives ought to be and how they fit within those 15 overarching goals. And we'll dictate what the goals 16 are; they are given to us, and then we have to come up 17 with objectives that fit within them. So, we will be 18 working on that, I think, over the course of the next 19 few years trying to make that particular process play 20 out effectively. 21 I won't spend any time on the general 22 appropriations bill because Scott will be talking to 23 you more about the budget. Suffice it to say, that 24 you know by now that we took a five percent cut in our 25 general revenue, and ten million was taken out of our</p>
<p style="text-align: right;">22</p> <p>1 when it comes time to move the asbestos offsite. 2 The bill, along with a memorandum of 3 understanding that we signed, simply makes a little 4 bit clearer or at least a little bit more public where 5 that dividing line is. The Department of Labor takes 6 care of the containment area and we take care of 7 anything that might escape into the environment, the 8 ambient air and then the disposal of the waste. 9 I mentioned that energy was a somewhat involved 10 topic this time around. Mostly that related to some 11 additional requirements on wind energy facilities, 12 some additional financial assurance, specifications, 13 some additional setback requirements. 14 And then I guess as far as oil and gas 15 operations are concerned, the primary topic this time 16 around was, I want to say, a little bit of a response 17 to what happened in Denton, Texas and a few other 18 places, where the municipality adopted an ordinance 19 that would have banned fracking within the city 20 limits. 21 What this bill does, is essentially say, okay, 22 cities you can adopt reasonable ordinances but you 23 can't adopt an ordinance that essentially says you 24 cannot operate oil and gas wells inside the city 25 limits.</p>	<p style="text-align: right;">24</p> <p>1 revolving funds. And about the only good thing I can 2 say about it, quite honestly, is it's fairly easy to 3 remember, five, five and ten. 4 But it's a bit challenging as we continue to 5 move ahead to figure out how to handle that within the 6 functions that we have. Scott will be talking more 7 about that. 8 Finally, this is not a bill but a governor's 9 declaration that essentially takes the place of a 10 legislative action. Those rules that you have passed 11 over the course of the last year went to the 12 legislature. For the second year in a row the senate 13 did not take up the resolution that would have 14 approved all agency rules that were passed during the 15 last year. 16 So, the governor -- it defaults to the governor 17 in that case. And she issued a declaration on June 18 8th that approves virtually all agency rules. There 19 were a handful that were not. All of DEQ's rules were 20 approved. 21 We did have a couple of -- we had a couple of 22 resolutions introduced in the legislature to 23 disapprove a couple of our rules, but they did not 24 progress. And I'm not going to go through all of 25 these individually. These are bills that were</p>

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<p style="text-align: right;">25</p> <p>1 proposed that did not pass. I thought you might want 2 to see some of the things that didn't make it through 3 the process.</p> <p>4 The one request bill that we brought to you 5 last fall that did not make it through was a proposal 6 to create an environmental trust revolving fund, a 7 dedicated fund, if you will, for long-term projects, 8 capital-type projects.</p> <p>9 Frankly, this was a year that anything that 10 sounded like segregating money was not going to make 11 it very far in the session. So, that one did not make 12 it through. We may try again later sometime.</p> <p>13 Clean Air Act 111 Plan is subject to the 14 approval of the attorney general. Obviously the 15 reaction in Oklahoma has, for the most part, not been 16 very positive to the Clean Power Plan among the 17 legislative body. And this particular bill would have 18 said that before DEQ submits any sort of planned EPA 19 to comply, that we have to be approved by the attorney 20 general.</p> <p>21 The governor vetoed that bill not because she 22 necessarily wanted a SIP, so-called SIP to be 23 submitted on this particular action, but because she 24 felt like there was a better way to do it. And, so, 25 she replaced it with an executive order that</p>	<p style="text-align: right;">27</p> <p>1 that had been passed by both the councils and the 2 Board.</p> <p>3 The two that came up were the laboratory 4 accreditation rules, which you may recall were adopted 5 in an effort to make sure that we would correspond to 6 the national environmental laboratory accreditation 7 requirements. And quite honestly, my perspective is 8 that the resolution that was introduced to disapprove 9 those rules, was not so much about the rules 10 themselves as it was an opportunity to raise issues 11 about whether we had gone through an extensive enough 12 public participation process on those rules.</p> <p>13 I think after we got a chance to answer some 14 questions about how much involvement there had been, 15 that alleviated a lot of the concern. We also met 16 separately with the legislator that proposed that and 17 he answered some unrelated questions that he had. 18 That allowed that particular set of rules to go 19 forward.</p> <p>20 The other one, sampling ports on land-filled 21 gas monitors was purely an issue of whether the cost 22 — or whether the benefit justified the additional 23 cost. Again, we explained that the cost was fairly 24 minimal, particularly since most or at least a lot of 25 landfills already have these sampling ports with only</p>
<p style="text-align: right;">26</p> <p>1 essentially says before DEQ does any work on a 111d 2 plan that the governor has to approve that and the 3 attorney general has to have had the opportunity to 4 review it for legal sufficiency.</p> <p>5 The rest of those up there, I don't know that I 6 need to go through them individually. If you have any 7 questions about any of them, we certainly can cover 8 that. There were a few government operations bills 9 that the governor also vetoed because she thought that 10 they were a little bit unnecessarily bureaucratic 11 laying on additional formal requirements to what had 12 been working well enough informally; things like 13 availability of memorandums of agreement, publicizing 14 federal funds, that's already labeled on state 15 website. I think that's enough on that unless anybody 16 has any questions.</p> <p>17 MS. VAUGHT: Can you talk to us a bit — sorry, 18 I'll yell. Can you talk to us a bit about the 19 disapproval of the proposed DEQ rules on laboratory 20 accreditation, because I know we've talked about that 21 before.</p> <p>22 MR. GIVENS: Sure.</p> <p>23 MS. VAUGHT: While we're there.</p> <p>24 MR. GIVENS: There were, as I mentioned, two 25 resolutions that were introduced to disapprove rules</p>	<p style="text-align: right;">28</p> <p>1 a limited the number of landfills that we have to 2 have. And that didn't progress any further beyond 3 approval by the initial committee in the legislature.</p> <p>4 Anything else on any of those?</p> <p>5 And, finally, I've got just a couple of slides 6 so you can see some of the things that have already 7 been requested in the nature of interim studies.</p> <p>8 You're aware that in between the legislative sessions, 9 legislators can request that studies be performed.</p> <p>10 When we say study, typically it consists of one 11 or sometimes two hearings at which the requesting 12 legislators can ask various entities to show up and 13 make a presentation about their point of view on 14 particular issues. And it may lead to legislation in 15 the next legislative session.</p> <p>16 I've highlighted some of the things that have a 17 potential to directly impact DEQ the most. Frankly, 18 the administrative rules process is going to get 19 another look because the legislator, in particular the 20 House, is not very satisfied when they have passed the 21 so called omnibus approval resolution for rules, the 22 Senate has not taken it up for two years in a row, 23 ever since the process was changed to be like that.</p> <p>24 So, I think the House is anxious to see whether 25 they want to go back to the old way or make some</p>

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<p style="text-align: right;">29</p> <p>1 tweaks to the rules process.</p> <p>2 State costs to comply with federal regulations,</p> <p>3 we are specifically mentioned in that particular</p> <p>4 request as one of the agencies that would be called to</p> <p>5 testify about that.</p> <p>6 Couple of federal funds, revolving funds, again</p> <p>7 the budgeting process, they will be taking a closer</p> <p>8 look at that.</p> <p>9 Excessive DEQ requirements, "excessive" is not</p> <p>10 my word. That is in the particular interim study</p> <p>11 request. We have a legislator from Western Oklahoma</p> <p>12 that thinks our lateral line requirements are</p> <p>13 unreasonable and, so, has introduced legislation in</p> <p>14 the past. And now for a second year in a row is</p> <p>15 requesting interim study on that.</p> <p>16 And then down at the bottom, "New technology to</p> <p>17 reduce the need for wastewater disposal injection</p> <p>18 wells," that's oil and gas injections wells. And the</p> <p>19 reason I put that on there is because that request</p> <p>20 also mentions water reuse as an alternative. And of</p> <p>21 course we're doing a little bit of work on that with</p> <p>22 some other agencies.</p> <p>23 Now, all of these, just to clarify, these are</p> <p>24 House legislative requests. The deadline to make the</p> <p>25 request was this past Friday. But they're not</p>	<p style="text-align: right;">31</p> <p>1 some asbestos out of that city building in Texoma.</p> <p>2 Some of the reuses are listed for those facilities.</p> <p>3 And, so, that's a really good program. The State has</p> <p>4 a liability in terms of lead-based paint asbestos at</p> <p>5 these former armory facilities and they're supposed to</p> <p>6 revert to the local government that deeded the</p> <p>7 property in the first place so the armory could be</p> <p>8 built, and that's been pretty successful. A lot of</p> <p>9 these have some really cool uses.</p> <p>10 Under these few older ones that were given away</p> <p>11 earlier, and we're going back and looking at some of</p> <p>12 those that are in current use. And if you've never</p> <p>13 been to the City of Tahlequah city offices, you ought</p> <p>14 to go by there because that's a former armory and it's</p> <p>15 a really good reuse of that facility.</p> <p>16 Here's some additional ones that we're still</p> <p>17 finishing out. And the Shawnee Gun Club came in under</p> <p>18 budget, a couple hundred grand from original estimate</p> <p>19 -- or as we project it's coming in under budget.</p> <p>20 The Tar Creek work is the first in the nation</p> <p>21 where a tribe has been able to do the cleanup of their</p> <p>22 own property. Now, we're actually happy enough with</p> <p>23 the tribe's construction work that we're working with</p> <p>24 them to go beyond some of the tribal trust lands</p> <p>25 because we're doing the work with them for the cost of</p>
<p style="text-align: right;">30</p> <p>1 approved by the speaker until early July. So, it is</p> <p>2 not necessarily true that every one of these will have</p> <p>3 a hearing. But probably, based on what the speaker</p> <p>4 did last year, most of them will in some form, we may</p> <p>5 combine some. But most of them probably will end up</p> <p>6 with a hearing in some form.</p> <p>7 The Senate doesn't have to request their</p> <p>8 interim studies until early July, so we don't know</p> <p>9 what may come along on the Senate side. I think that</p> <p>10 was the last one.</p> <p>11 And let me pause and see if you have any</p> <p>12 questions at this point. If not, I may not have been</p> <p>13 short, but I think I did better than I did last year.</p> <p>14 MS. KUNZE: Thank you, Jimmy.</p> <p>15 I'm going to move to our next agenda item, and</p> <p>16 it's probably smart for us to stay to the side because</p> <p>17 I believe we'll use the projector again on Item</p> <p>18 Number 8.</p> <p>19 But right now I'm going to turn it over to</p> <p>20 Scott Thompson for the DEQ's Executive Director's</p> <p>21 report.</p> <p>22 MR. THOMPSON: All right. Well, these are some</p> <p>23 of the highlights from this last state fiscal year.</p> <p>24 the one we're currently finishing.</p> <p>25 We did several armory projects and cleaned up</p>	<p style="text-align: right;">32</p> <p>1 one of the subcontractors under the way the EPA was</p> <p>2 doing it paying a federal contractor, so, it was a</p> <p>3 much reduced cost.</p> <p>4 This is 1940s construction technology,</p> <p>5 basically you pick it up, you push it with dozers, you</p> <p>6 pick it up, put it in the truck and you move it</p> <p>7 somewhere and you contain it. And, so, that's going</p> <p>8 very well. I was really stunned to find out that that</p> <p>9 was the first in the country and Superfund -- you</p> <p>10 know, Superfund has been around since 1980.</p> <p>11 And this is a Brownfield's project. City of</p> <p>12 The Village got a loan to do -- to basically demolish</p> <p>13 these old apartments, take care of the asbestos et</p> <p>14 cetera, and you see five years later here is some of</p> <p>15 the economic benefit from that project for the city.</p> <p>16 You know, 100 homes, only 15 lots left, a community</p> <p>17 center and clinic, and a nursing facility. So,</p> <p>18 there's millions of dollars of investment in what was</p> <p>19 a derelict property.</p> <p>20 The air quality division has kind of a cool</p> <p>21 deal going on. There was an EPA grant and that kind</p> <p>22 of stalled out, so we put aside some money from the</p> <p>23 Air Program to purchase one of these benches that is</p> <p>24 mostly educational.</p> <p>25 And one of the benches is out at the park in</p>

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<p style="text-align: right;">33</p> <p>1 Myriad Gardens area. And, so, it's existing and I 2 think we have some plans to put one at OU and I think 3 President Boren may come take a look at this one 4 himself before we put the one at OU up. And I think 5 there's the potential for us to go to OSU in Tulsa 6 with some of these. And it's kind of a learn as you 7 go. 8 Now, these monitors are not regulatory, so 9 there's not likely to be a concern from that 10 standpoint with them. But basically it will show 11 people what we do in terms of air monitoring and how 12 we track that. I'm asking Eddy to make sure nobody 13 can shove bubble gum down inside of anything, so we'll 14 see. 15 This is a good deal, Water Loss Audit Program. 16 You have an article from the Journal Record that 17 explains this very well. And basically this is a 18 program that's voluntary. It's not required. The 19 cities can come to us and ask for help to audit their 20 systems and how they're providing water and how well 21 it's being measured and where they may be losing it, 22 et cetera. 23 And the article refers to the city of Perkins. 24 I believe. And, you know, they have recognized how 25 much money they're losing by not accurately measuring</p>	<p style="text-align: right;">35</p> <p>1 efficiencies through this time period. 2 You know, we've had, as always, numerous 3 emergency events this spring, tornadoes, floods, et 4 cetera, and we've had to deal with that. And, so, 5 there's also something in your packet identifying the 6 numbers of things we've had to deal with, you know, 7 many wastewater systems were flooded, and we deal with 8 that. I mean, this is kind of routine, our county 9 offices and our folks work directly with the Office of 10 Emergency Management and as well as just routinely 11 deal with this kind of stuff in our cities and towns 12 as we deal with natural disasters. 13 The state environmental lab offered statewide 14 testing for bacteria for any private wells that were 15 flooded. That's not a very expensive test but it's 16 important to make sure that you know whether your well 17 was impacted adversely, whether you've got bacteria or 18 not, whether you'll have to chlorinate it, clean that 19 out, make sure it's safe. 20 In your packet there's also a document, it's 21 probably on legal paper folded up a little bit, that's 22 Unfunded Mandates. And if we wind up at that task 23 force talking about federal costs for the agency to 24 comply with new federal rules, this is a start on 25 that.</p>
<p style="text-align: right;">34</p> <p>1 the water they deliver. And, so, I think even now 2 that we're in a time of planning for water all of a 3 sudden, moving out of a drought at least for some 4 period of time, there's a good chance we'll go back in 5 a drought. So, these kind of measures are really good 6 to do; one from cities just having accurate 7 measurements of how much water they're providing and 8 what's happening with it. And, two, to be better 9 prepared for the next drought. 10 If we can't be more efficient in the way we use 11 water, even though there's plenty of it for the 12 moment, undoubtedly we'll hit some more drought 13 periods where it will be critical. 14 We were right on the edge of several towns in 15 western Oklahoma being completely out of water. So, 16 this is basically a miracle from that standpoint. And 17 we've had lakes that were, you know, at records levels 18 in terms of flood stage and how much water they're 19 holding currently. And, so, we're having a lot of 20 water go over spillways where we didn't think we'd 21 ever see that again, at least not for a long time. 22 But there's still things we can do and work 23 with local governments to help them improve their 24 systems, and I think that's really critical. And 25 we're still going to push water conservation, water</p>	<p style="text-align: right;">36</p> <p>1 Sort of the genesis of this idea, was 2 Colonel Teague and I were at an Ecos meeting in DC and 3 the City Manager for the city of Springfield gave a 4 presentation that for a town of 160,000 people they 5 calculated the estimated cost for the next 20 years 6 for new environmental requirements. And, so, their 7 cost, I believe, was 1.6 billion over 20 years. 8 And I think if people start really taking a 9 look at that, we – I think the Governor's office is 10 going to try to have him at the Water Conference in 11 the fall, if we can get him there, and get an update 12 on their calculations. I asked what their baseline 13 cost was and they did not have that yet, probably 14 going to follow up on that. 15 But I think if we start really looking at the 16 world in terms of what's coming at us in terms of 17 federal rules, what federal rules we've taken on 18 recently, what the estimated capital costs on annual 19 costs and numbers of people it takes to do that work. 20 Now, these are rough estimates. This is a 21 draft. And we're going to continue to refine it and 22 try to make it better, but there will always be 23 drafts, because there always could be changes in terms 24 of what's coming at us. 25 So, it's going to be a tool for us to use to</p>

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<p style="text-align: right;">37</p> <p>1 talk about and make people aware of the kinds of 2 things that are coming in the pipeline and what it may 3 take. 4 For example, there's numerous changes in the 5 Water and Wastewater Program. It's going to be very 6 costly to local governments as well as the State of 7 Oklahoma to try to comply with -- 8 MR. MASON: So, Scott this is audited 9 (inaudible) of EPA? 10 MR. THOMPSON: No, that's mostly what we've 11 taken in the last couple of years and what we expect 12 to be coming based on -- now, many of those rules get 13 hung up. For example, 111d may be hung up for years. 14 What it means, who knows. And we've heard that it 15 will come out substantially different than it was 16 proposed. But the U.S. rule, what does that mean? 17 That rule doesn't look to us like it's clarified a 18 whole lot. 19 But specific things like is there going to be 20 testing for Giardia and some of those organisms or 21 chemical compounds that are -- some of the numbers 22 they're pushing down in terms of the text limits are 23 extremely low. 24 And, you know, there's a senator, I think, that 25 is floating a bill that we were contacted about that</p>	<p style="text-align: right;">39</p> <p>1 And if can mimic what Springfield has done and 2 especially if we get there how did they calculate 3 their baseline information. If we can do that for a 4 few model cities in the state, you know, city of a 5 certain size, here's their cost that we expect in 20 6 years, here's their baseline and here's what the next 7 20 years might cost. 8 If we start doing that stuff and putting those 9 numbers together, what does that really represent for 10 the entire state of Oklahoma. And if other states do 11 that, other local governments do that, then I think 12 that is really going to get people's attention in 13 terms of how much it costs to really keep changing the 14 rules constantly at the pace they've been changed at. 15 And that really it's not supportable. It's not a 16 sustainable way to govern really in terms of the 17 financial impacts. 18 So, we've just got to get more realistic about 19 this stuff. But in the meantime, if these rules do 20 come into play then there has to be a decision made, 21 is DEQ going to be able to maintain enough funds to 22 take on these programs or are we going to the EPA to 23 operate in these programs. 24 Okay. Kathy is going to present a financial 25 overview. And then she's going to bring up something</p>
<p style="text-align: right;">38</p> <p>1 we'll support, but he's trying to throw on the table 2 that idea of making wastewater permits 20-year 3 permits. Because you have a little that if their 4 permits renewed every five years, the rules have 5 changed. They get a big loan, they build a plant or 6 upgrade a plant. Five years later, they're going to 7 renew that, there's new rules, they have to get 8 another loan, they haven't finished paying the first 9 loan. 10 So, you have cities and towns out there that 11 have maybe three or four loans they're floating based 12 on constant rule changes. And I don't think they can 13 keep operating like that. Certainly most cities and 14 towns are going to struggle, especially with all the 15 other infrastructure needs that they have. 16 So, this is an attempt -- and ultimately we 17 want to do that for the agency. Those are pretty much 18 the agency's costs, they're not costs for individual 19 cities or entities that have to comply with these 20 rules, those just represent what we expect potentially 21 for agency costs. 22 And maybe we can find efficiencies and maybe 23 some of those rules won't come into play for a while, 24 but we have to be ready, we have to be somewhat 25 prepared.</p>	<p style="text-align: right;">40</p> <p>1 about long-term capital projects that we have to put 2 in a request for that is the next item after her 3 review. And I might say a little bit about that at 4 that time. 5 But Kathy Aebischer is our new chief financial 6 officer, if you didn't know. She started about the 7 same day the session started. So, she's had it really 8 easy and hasn't had to scramble really hard to figure 9 out how complex our financial system is, et cetera. 10 MS. AEBISCHER: Good morning. I once heard the 11 term "drinking from a fire hose" and I've got a great 12 appreciation for that. But I'm going to review an 13 overview of the financials for DEQ. 14 As many of you know, DEQ receives federal 15 funds, revolving funds, general revenue funds to 16 support the agency, and these are different portions. 17 Going over the funding sources, a three-year 18 trend to kind of give you an overview. It fluctuates 19 due to the projects we undertake, what's going on 20 environmentally. But over the last three years you 21 can see the federal funds have fluctuated and gone up 22 13 of 24 million and 14 of 17 million. 23 It looks like we've increased a lot in '15, but 24 it's because we've taken on the accounting services 25 for the Federal Water Quality Management Fund of 8.4</p>

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<p style="text-align: right;">41</p> <p>1 million. So, that's in purple to kind of show you why 2 it's increased that much. 3 Our revolving fund has stayed somewhat 4 consistent and our state funds have gone up, gone 5 down. In '14 we received 1.5 million, which was I 6 think later determined it was a one-time, plus we had 7 a reduction for '15. 8 Proportionately as a total for the last three 9 years, in '13 we received 10 percent of our funding 10 from state funds and 24 million, which is 33 percent 11 in federal funds, and 57 percent revolving funds, and 12 that's changed based on how much state appropriations 13 we receive or how much federal. But it's changed to 14 currently we're on 9 percent is received for state 15 appropriations. 16 If you look at the agency and each division, 17 this is how it breaks out. And you'll see that land 18 is 27 percent, which is because they do a lot of 19 projects, makes up for a bigger portion of the agency. 20 I didn't realize the middle one kind of doesn't 21 cover the screen, so you may have to look on the side. 22 This is a budget report for fiscal year '15. This is 23 all sources of funding. And it's budget versus actual 24 encumbrance. So, for all divisions, all funding 25 sources, we are about 5 million dollars remaining that</p>	<p style="text-align: right;">43</p> <p>1 just the 200 revolving fund. So, in the orange you'll 2 have the actual expended, and then in the green it's 3 what we're projecting. So, we're projecting to be a 4 cash balance June 30th, of 18.5 million. And then on 5 this screen we'll show you the commitments, 6 obligations of 5.7 million. And then with the 5 7 percent reduction for 16, we're going to absorb that 8 and it come to be 356,000 out of the revolving fund. 9 The unrestricted cash balance of 12.3 million 10 July 1, with them transferring 10 million out July 1, 11 we are projecting a 2.3 unrestricted cash balance 12 July 1. Do we have any questions? 13 MR. MASON: That's good the legislature didn't 14 take 15 million. 15 MS. AEBISCHER: Yes. 16 So, for your agendum, Item 8, I'm going to go 17 over the capital budget requests. OMES requires that 18 we submit a plan of some capital outlay projects that 19 we may undertake if funds are available. And we have 20 to do it a year in advance. So, all state agencies 21 must submit a request for any planned capital outlay 22 project regardless of the funding source that's used. 23 So, all planned expenses that are over 25,000 and have 24 any useful life of over five years. 25 So, like this year we had an emergency, the</p>
<p style="text-align: right;">42</p> <p>1 isn't expended or encumbered that we budgeted. 2 I want to go through each division. So, if we 3 look at Administrative Services, after you look at 4 almost 12 million dollar budget and with expenses and 5 encumbrances, we'll have about 1.4 remaining. We did 6 have an unplanned expense with the chiller and with 7 the roof, so that's why we went over a little bit 8 there. 9 So, if you look at the State Environmental Lab, 10 their budget is about 7 million. And with their 11 expenses and encumbrances they have about 245,000 12 left. Environmental Complaints, they have about an 13 8 million dollar budget, and they have about 355,000 14 remaining. 15 Air Quality, their budget is 12 million, and 16 they will have remaining 561,000. Our Water Quality 17 Division has 11.5 million budgeted. It's projected to 18 have 1.2 remaining at the end of the fiscal year. 19 For Land, 22.5 million dollar budget with 20 1 million dollars remaining at the end of the year. 21 And the Secretary of Energy Environment Water 22 Management, they have an 8.4 million dollar budget and 23 383,000 projected at the end of the year. So, we just 24 reviewed budget versus actual, all funding sources. 25 This is the cash flow projections and this is</p>	<p style="text-align: right;">44</p> <p>1 chiller broke the roof. You can do those. We didn't 2 plan on it, but we do have to react to it when it 3 happens. But we are planning for projects that we 4 have to submit June 30th, 2015, that we think we may 5 want to undertake in fiscal year '17, with is July 1, 6 2016. 7 So, once we submit our plan, the Long-Range 8 Capital Planning Commission reviews all the submitted 9 plans from every agency and then they make a 10 recommendation on the projects and submit this plan to 11 the legislature in December. 12 So, after we've been reviewing the agency's 13 needs, we have the following projects that we would 14 like to submit. 15 MR. MASON: Kathy? 16 MS. AEBISCHER: Uh-huh? 17 MR. MASON: You might want to back up a little 18 bit. We've never had to do this before. This is a 19 new OMES requirement, I think. 20 MS. AEBISCHER: Yeah. 21 MR. MASON: You might want to explain why the 22 Board is involved in it this year but we weren't last 23 year. 24 MS. AEBISCHER: Well, one is state agencies 25 that are mainly supported by state appropriations.</p>

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<p style="text-align: right;">45</p> <p>1 they always have a process, because essentially they 2 all draw from one fund. So, they've had this process 3 in place where they would submit. In the last couple 4 of years OMES has wanted to bring all state-owned 5 agency buildings, that if you had any projects that it 6 would go through this process. 7 So, last year we didn't really have any, but 8 now that the parking garage is really getting to the 9 point we have to address some issues, and looking at 10 the HVAC for the lab, we've started -- we fall into 11 this process. But it is fairly new for DEQ, because 12 we rely on our revolving fund to take care of any of 13 our capital needs, any maintenance items that need to 14 be done to the building, we've just done it within 15 revolving fund. But it is a new process that they 16 brought in agencies like DEQ. 17 And it's kind of like a placeholder we have to 18 submit. But when we get closer to that fiscal year 19 we'll have to review, do we have the funds available? 20 We'll have some more engineering studies done, the 21 costs might change a little. But this is just to 22 submit to say that we are planning to undertake these 23 two projects. 24 We've had one engineering study on the garage 25 and we're going to get a second one. At this point,</p>	<p style="text-align: right;">47</p> <p>1 MR. WENDLING: So, I would imagine during that 2 time you have construction so you won't have any 3 parking. Is there enough parking available? How are 4 you going to handle parking during the construction 5 period? 6 MR. THOMPSON: Okay. One thing to keep in 7 mind, this is a new process and we may try to bring 8 this earlier in the year at the January/February 9 meeting next year. 10 And we're having to estimate what we might need 11 to do in out years and get permission to be able to 12 work on it if things fall into place. It does not 13 mean we're going to be able to start construction 14 FY17. And there's an outside chance that there's a 15 couple of things we're going to do. 16 One, this year we're going to get a second 17 opinion by another engineer about the state of our 18 current garage. We may also be able to -- it sort of 19 depends on whether the cost exceeds the \$25,000 20 trigger level. If it does not, then we may be able to 21 do an additional study which says what our real 22 options or what are kind of the ball park costs to 23 scope a design and which option would be the best 24 option, either repairing our current garage, building 25 a new garage somewhere else or replacing our current</p>
<p style="text-align: right;">46</p> <p>1 the estimates are around 9 million if we need to 2 replace the parking garage. 3 MR. BLANKENSHIP: I have a question. How many 4 spaces would that provide? 5 MS. AEBISCHER: We currently have 324. We have 6 -- this estimate is 400. So that we can eliminate the 7 lease spaces that we pay for now, because we don't 8 have enough spaces that we lease space from other 9 parking garages. 10 MR. BLANKENSHIP: Okay. So, the \$9 million is 11 the estimate for 400 new spaces? 12 MS. AEBISCHER: 400. 13 MR. BLANKENSHIP: 400 total spaces? 14 MS. AEBISCHER: Yes. 15 MR. BLANKENSHIP: Okay. Thank you. 16 MR. KINDER: I also have a question. How many 17 do we lease now from other spaces? 18 MS. AEBISCHER: 65 to 70. And we mainly use it 19 for the leased vehicles, and overflow. 20 MR. WENDLING: Why do you have it split across 21 two different fiscal years, is it 22 construction-related? 23 MS. AEBISCHER: Yes, we believe -- and plus 24 partly I think to manage it wise, it will be over the 25 '17, '18 fiscal years we think it will span over that.</p>	<p style="text-align: right;">48</p> <p>1 garage, demolishing it and replacing it. 2 So, the reality is we may not get -- and 3 especially since this state's budget sounds like it's 4 not going to be any different next year than it was 5 this year, we may have not have the funds to actually 6 start '17. But if we don't ask for permission to work 7 on this we won't get it. We can't even start even if 8 we have the funds. 9 So, it could be that what we actually do is 10 maybe 3 million dollars worth of repair. It sort of 11 depends on whether that makes sense in terms of 12 whether that -- what's money well spent versus actual 13 repair and quality stuff that may last for, you know, 14 many decades, and use that money as paying for a big 15 chunk of a new garage. And it sort of depends on our 16 projections for cash and where we're sitting in terms 17 of, you know, budget out years. 18 But, you know, this is critical. We have to do 19 something, we understand that. We've got to evaluate 20 the current garage and have a good solid answer on it. 21 But this exercise here at the moment is dap, but we 22 have to put some things in for repair of the building 23 or lab purchases or -- and it may include other things 24 besides the parking garage. I mean, we're looking at 25 where we had a recent problem, and we had some</p>

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<p style="text-align: right;">49</p> <p>1 flooding in the basement with the recent rains because 2 of the way we manage storm water coming off our roof. 3 And then we've got to work with the City to see what 4 our options are there. 5 So, there's some repairs like that. They're 6 very small, not a big deal. They're emergencies, we 7 have an out for that. But, otherwise, we've got to 8 start asking for this stuff. And other agencies are 9 using it this way. And, so, it doesn't mean we've 10 got, you know, nine million sitting there for this 11 project or can say with certainty that we need to 12 spend nine million, and, so, that's important. 13 If we really get into the process of replacing 14 the parking garage or massive repairs, it could take a 15 couple of years to do and we will just have to 16 scramble for other spaces. 17 I mean, the thing that's kind of irritating 18 about this is we had surface lots that had adequate 19 parking for the entire agency, including all of our 20 state vehicle and everything. But essentially we were 21 twisted into giving those up for the federal campus in 22 exchange for the parking garage, more or less. And 23 the parking garage is smaller than our need and it's 24 much more mostly to maintain and operate than surface 25 lots would have been.</p>	<p style="text-align: right;">51</p> <p>1 MR. KINDER: It was Danny. 2 MR. BLANKENSHIP: We can flip a coin. 3 MS. KUNZE: I was going to say we had a tie 4 over there. And David seconded. Do a role call, 5 MS. FIELDS: Mr. Blankenship? 6 MR. BLANKENSHIP: Yes. 7 MS. FIELDS: Mr. Griesel? 8 MR. GRIESEL: Yes. 9 MS. FIELDS: Dr. Hammon? 10 DR. HAMMON: Yes. 11 MS. FIELDS: Mr. Kinder? 12 MR. KINDER: Yes. 13 MS. FIELDS: Mr. Mason? 14 MR. MASON: Yes. 15 MS. FIELDS: Mr. Munson? 16 MR. MUNSON: Yes. 17 MS. FIELDS: Mr. Nicholson? 18 MR. NICHOLSON: Yes. 19 MS. FIELDS: Ms. Turner? 20 MS. TURNER: Yes. 21 MS. FIELDS: Ms. Vaught? 22 MS. VAUGHT: Yes. 23 MS. FIELDS: Mr. Wendling? 24 MR. WENDLING: Yes. 25 MS. FIELDS: Ms. Kunze?</p>
<p style="text-align: right;">50</p> <p>1 So, you know, I wish we could go back and alter 2 that and pushed the federal -- because the Federal 3 campus thought they needed four blocks. And in the 4 end they only took two blocks, they were our two 5 blocks of parking. So, you know, it would have been 6 nice if we had been able to keep those we wouldn't 7 have this kind of expense facing us. 8 Anyway, that's it. And I think we need a vote 9 on this item to allow us to put this in as a request. 10 MS. KUNZE: Thank you for the presentation. 11 I'll ask if there are any questions or 12 discussions from the board. I will make a note 13 though, Jimmy had commented, and I think it pretty 14 well summarized the budget information. I heard him 15 say that the muffins had been cut in half and that was 16 probably a good visual of what had happened to our 17 budget, but at least they're not in thirds; is that 18 right, Jimmy? If we see them cut in thirds, we know. 19 Any questions or discussions from the Board? 20 Questions or discussion from the public? 21 MR. MASON: Make a motion to approve the DEQ 22 capital budget request. 23 MR. GRIESEL: I'll second. 24 MS. KUNZE: I have a motion. And, Kinder, was 25 that you?</p>	<p style="text-align: right;">52</p> <p>1 MS. KUNZE: Yes. 2 MS. FIELDS: Motion passed. 3 MS. KUNZE: Thank you. 4 We're getting pretty close to the end of the 5 meeting. I'm going to suggest that we go ahead and 6 finish without a break, if everybody is okay with 7 that? Everybody okay? 8 MR. BLANKENSHIP: Yes, ma'am. 9 MS. KUNZE: Item Number 9 is our employee 10 disclosures and Martha is the DEQ General Counsel and 11 I'll let you handle that. 12 MS. PENISTEN: The Environmental Quality Code 13 requires an annual disclosure of employee financial 14 interest for DEQ employees involved in reviewing, 15 issuing or enforcing permits. 16 And these employees are required to disclose 17 financial interests that they hold in entities 18 regulated by the DEQ. In turn, the DEQ is required to 19 inform the Board and make a disclosure as part of the 20 minutes. Otherwise these disclosures are for 21 informational purposes only and no action is required 22 by the Board. 23 This year three employees submitted new 24 disclosures. First is Scott Thomas, Air Quality 25 Division, he's a stockholder in OGE Energy</p>

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<p style="text-align: right;">53</p> <p>1 Corporation. Ellis Fisher, also Air Quality, is a 2 stockholder in ConocoPhillips, ConocoPhillips, 3 Helmerich & Payne and the Apache Corporation. And 4 Brittany Downs of Land Protection Division is a 5 stockholder in Chesapeake Energy Corporation. 6 In order to avoid conflict of interests for 7 these employees, the Agency has notified the director 8 of each employee's division to ensure that they are 9 not involved in permitting or enforcement related to 10 these companies. 11 MS. KUNZE: Thank you. 12 The next item I wanted to throw open for a 13 little bit of feedback from the board members. We had 14 had -- I had had discussion with several people at our 15 last board meeting. 16 Sometimes the packets, and especially when 17 we're dealing with rulemaking, can be pretty 18 extensive. a lot of reading and homework required. 19 And we had a discussion if maybe there was a way to 20 maybe expedite that information getting to the Board 21 prior to the meeting to help us be better prepared. 22 I sat down and met with Martha and we went 23 through -- and it was a little -- it was kind of 24 educational to see the things that had to happen after 25 the Council meetings to get that information put</p>	<p style="text-align: right;">55</p> <p>1 other board members might be with this. 2 MS. KUNZE: Do you have a comment, Martha? 3 MS. PENISTEN: Well, I'm not a technical 4 expert, but we'll certainly check whether we'll able 5 to do that or not. And if we are, then we'll 6 implement it. 7 MR. KINDER: I'm currently on another board 8 that kind of went through this same thing about two 9 years ago, and it's doable. 10 MS. PENISTEN: Okay. 11 MS. KUNZE: Thank you, Jimmy. 12 MR. BLANKENSHIP: Chair? 13 MS. KUNZE: Yes. 14 MR. BLANKENSHIP: It was very beneficial for me 15 to have it in advance. The more time we get obviously 16 gives us more time to look through the materials and 17 get a better understanding. 18 So, getting the e-mail as soon as the material 19 was ready was very, very beneficial for me, as well as 20 receiving the hard packet, too 21 MS. KUNZE: Okay. 22 MR. BLANKENSHIP: So, I appreciate it. Thank 23 you. 24 MS. KUNZE: And we'll keep on that where Quiana 25 will send out the notice that it's out as soon as it's</p>
<p style="text-align: right;">54</p> <p>1 together and it wasn't as easy as we first thought to 2 get more lead time on that. 3 And with feedback from some of the board 4 members, we started putting that out where you could 5 go in and get the electronic copy prior to receiving 6 the hard copy in the mail. 7 And I was just going to ask if anyone has any 8 feedback on that, or thoughts or additional 9 improvements; does that help? 10 MR. KINDER: Jan, intentionally this time I 11 tied to keep up with you electronically on the PDF. I 12 think it's a good first effort for me anyway. I don't 13 know how comfortable some of the other board members 14 might be with it. So, I was going to try to keep up 15 with you. 16 One suggestion I might have is that in the 17 future if we send this out as a PDF, that it would be 18 searchable. I know it's a technical thing that has to 19 happen, that this has been scanned in and it's not 20 actually searchable for a word. And if that could be 21 possible I think it would make it tremendously easier 22 to go to Page 97 and find a word that you're looking 23 for. 24 But so far I've been able to keep up fine with 25 you, but I'm not sure how comfortable some of the</p>	<p style="text-align: right;">56</p> <p>1 available. 2 DR. HAMMON: I also really appreciated it, that 3 extra time it takes to mail the packet to 4 Bartlesville, I had those days to be reading it. So, 5 thank you. 6 MS. KUNZE: Well, we'll continue the process 7 and tweak it as we can and make whatever steps we can, 8 just try everything possible to improve communication. 9 With that, I'll ask if there's any new 10 business? 11 MR. MASON: I have some new business. 12 MS. KUNZE: Okay, Steve. 13 MR. MASON: Martha, at the February reading we 14 rejected some radiation rules where -- after the 15 Council had approved them when it was presented to us, 16 the agency had changed the language. Are those rules 17 being redone? 18 MS. PENISTEN: They are. You'll see them again 19 in September, I believe. 20 MR. MASON: Okay. Great. Thank you. 21 MS. KUNZE: Any other new business? 22 With that, I'll ask for a motion to adjourn. 23 MR. MASON: So moved. 24 MR. KINDER: I second. 25 MS. KUNZE: I have a motion and Jimmy seconded.</p>

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<p style="text-align: right;">57</p> <p>1 Roll call.</p> <p>2 MS. FIELDS: Mr. Blankenship?</p> <p>3 MR. BLANKENSHIP: Yes.</p> <p>4 MS. FIELDS: Mr. Griesel?</p> <p>5 MR. GRIESEL: Yes.</p> <p>6 MS. FIELDS: Dr. Hammon?</p> <p>7 DR. HAMMON: Yes.</p> <p>8 MS. FIELDS: Mr. Kinder?</p> <p>9 MR. KINDER: Yes.</p> <p>10 MS. FIELDS: Mr. Mason?</p> <p>11 MR. MASON: Yes.</p> <p>12 MS. FIELDS: Mr. Munson?</p> <p>13 MR. MUNSON: Yes.</p> <p>14 MS. FIELDS: Mr. Nicholson?</p> <p>15 MR. NICHOLSON: Yes.</p> <p>16 MS. FIELDS: Mr. Sims? I'm sorry.</p> <p>17 Ms. Turner?</p> <p>18 MS. TURNER: Yes.</p> <p>19 MS. FIELDS: Ms. Vaught?</p> <p>20 MS. VAUGHT: Yes.</p> <p>21 MS. FIELDS: Mr. Wendling?</p> <p>22 MR. WENDLING: Yes.</p> <p>23 MS. FIELDS: Ms. Kunze?</p> <p>24 MS. KUNZE: Yes.</p> <p>25 MS. FIELDS: Motion passed.</p>	<p style="text-align: right;">59</p> <p>1 cannot and does not intervene in those case-specific</p> <p>2 decisions.</p> <p>3 We also ask that you not use the forum to</p> <p>4 advertise or publicize commercial products or</p> <p>5 services. Because of the nature of the issues, they</p> <p>6 are appropriate for the forum, you may not receive an</p> <p>7 immediate response to your comments. The Department</p> <p>8 staff and/or the Board generally will need some time</p> <p>9 to evaluate the comments and respond to them.</p> <p>10 And at this point I'm going to welcome my --</p> <p>11 somebody I've known for quite a while, Mr. Lundy Kiger</p> <p>12 with AES and he's going to address us.</p> <p>13 MR. KIGER: Thank you, Madam Chair. Just a</p> <p>14 comment, if I could. I'm not going to ask for any</p> <p>15 particular requests. But I appreciate the work that</p> <p>16 each of you do in taking the time for the state and</p> <p>17 the environment that we have.</p> <p>18 One of the things that I wanted to mention,</p> <p>19 it's more just to make you aware, we've had several</p> <p>20 different meetings that go along with what Scott</p> <p>21 talked about just a moment ago with the City of</p> <p>22 Springfield figuring out what the regulatory costs are</p> <p>23 adding up to be over, whether it's 10 years or 20</p> <p>24 years. And a big concern that I think everybody in</p> <p>25 the state of Oklahoma has, especially when you're in</p>
<p style="text-align: right;">58</p> <p>1 MS. KUNZE: Okay. At this point -- and I'm not</p> <p>2 sure if anybody signed up for the public forum or</p> <p>3 would still like to.</p> <p>4 The Board, as we meet throughout the year, we</p> <p>5 try to meet at different locations throughout the</p> <p>6 state to allow the opportunity for views and concerns</p> <p>7 of Oklahomans on environmental issues and we do have</p> <p>8 someone.</p> <p>9 So, with that I'll give a short welcome to the</p> <p>10 public forum of the Environmental Quality Board.</p> <p>11 Public input is valuable to the Board and the</p> <p>12 Department and welcome your participation. If you</p> <p>13 desire to make comments today, and we have one person</p> <p>14 signed up, but if you did not, please raise your hand</p> <p>15 if there's anyone else.</p> <p>16 We'll ask that you try to limit your comments</p> <p>17 to five minutes. I will advise when the five minutes</p> <p>18 have passed and we'll ask you to complete your</p> <p>19 presentation. This forum allows you to make</p> <p>20 suggestions or express concerns about environmental</p> <p>21 laws, rules or policies.</p> <p>22 However, concerns with an action or decision in</p> <p>23 a specific case or matter, such as a particular permit</p> <p>24 application or enforcement case, should be</p> <p>25 communicated directly to the Department. The Board</p>	<p style="text-align: right;">60</p> <p>1 the industry or business in the state, and that's the</p> <p>2 additional mandates that are placed on business</p> <p>3 whether it's generation business, telecommunications,</p> <p>4 or anything that it may be, that at some point when</p> <p>5 the rules are finalized and they're adopted and the</p> <p>6 cost to the industry start to add up and those costs</p> <p>7 start to get paid off, the things that I know on the</p> <p>8 economic development side that we're concerned about</p> <p>9 is it's going to make it tough on existing businesses</p> <p>10 to stay in the state, it's going to make it very tough</p> <p>11 on Oklahoma to be able to recruit business to the</p> <p>12 state, as it may be in a lot of different states.</p> <p>13 But one of the things that we're asking members</p> <p>14 of the Senate and others that are in a position that</p> <p>15 may have constituents, is to start talking today about</p> <p>16 the mandates that are coming, what they could see that</p> <p>17 could actually happen to the bills that they've got at</p> <p>18 home, whether it's electric, water, computer, whatever</p> <p>19 it may be, we're -- where the public will be better</p> <p>20 informed on where those mandates are coming from.</p> <p>21 And the idea is whether it's three years from</p> <p>22 now or five years from now, somebody doesn't open up</p> <p>23 their bill and not know what's going on and turn</p> <p>24 around and say, "Okay. That's the utility's fault,"</p> <p>25 or "That is the telecommunication's fault."</p>

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<p style="text-align: right;">61</p> <p>1 So, what we hope to do and would ask you to 2 consider doing if you have an opportunity to help pass 3 that word on, is we are going to try to spread the 4 word as much as we can through elected officials and 5 others just to make people aware of what is actually 6 taking place and going on, whether we agree or don't 7 agree with it, at least know the facts, know what's 8 going on and not just wake up one day and say, "Okay. 9 I'm going to put the blame on this person, this 10 person, or even committees." 11 So that's the only thing I wanted to at least 12 pass on to let you know that we are working 13 diligently, not with just the state senate, and state 14 elected officials, but also our congressional 15 delegation as well. 16 MS. KUNZE: Thank you very much. 17 A couple of quick kind of logistic matters. I 18 need to say that our next meeting will be held 19 September 15th at Roman Nose State Park. 20 And then I wanted to mention the Board was 21 invited to take a tour following this meeting at the 22 Water4 Foundation, and I wanted to tell a little bit 23 of what that was about. And for clarity benefit I am 24 going to say that no official business will occur at 25 that tour.</p>	<p style="text-align: right;">63</p> <p>1 ** CERTIFICATE ** 2 3 STATE OF OKLAHOMA) 4) ss. 5 6 I, Renee D. Jegelwicz, a Certified Shorthand 7 Reporter, within and for the State of Oklahoma, do 8 hereby certify that I reported all of the foregoing 9 testimony, and that I later reduced it to typewritten 10 form, as the same appears herein. 11 I further certify that I am not a relative of, 12 nor attorney for, nor clerk or stenographer for the 13 attorneys, nor any party to this litigation, and that 14 I am not otherwise interested in the event of the 15 same. 16 I further certify that the above and foregoing 17 typewritten pages contain a full, true and correct 18 transcript of my stenograph notes so taken during said 19 hearing. 20 WITNESS my hand and seal this 24th day of June, 21 2015. 22 23  24 RENE D. JEJELWICZ, CSR Oklahoma Certified Shorthand Reporter Certificate No. 01702 Expiration Date, December 31, 2015 25</p>
<p style="text-align: right;">62</p> <p>1 But the Water4 Foundation is a nonprofit that 2 was established in 2008. Its mission is to provide 3 clean reliable sources of water to at-risk 4 impoverished areas throughout the world. It teaches 5 the local populations how to drill and install water 6 wells and serves as a catalyst to stem economic 7 development. 8 Their primary operations are in African 9 countries, but they have projects in North Korea, 10 India, China and Haiti. The home to the Water4 11 Foundation is located here in Oklahoma City at 12 2405 Northwest 10th Street. 13 And for the board members that are going to be 14 able to take the tour, I believe there's a map in your 15 packet information. And parking, there's a parking 16 lot available with plenty of parking located right in 17 front of the building. 18 And with that, I think that concludes as for 19 today and I thank everyone for their attention and 20 attendance. 21 (Meeting adjourned at 11:00 a.m.) 22 23 24 25</p>	



ENVIRONMENTAL QUALITY
BOARD

Attendance Record

June 16, 2015

Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

• Quiana Fields	
• Cindy Perpetrat	DEQ
Ushia Turner	OGTE.
Eeri Hall	Edmond
• Shella Clark McClary	DEQ
• Skyler McJ	DEQ
• John WENDLER	EGB
Duane Winegardner	WRMAC.
Bud Ground	EFO
• Chris Armstrong	DEQ
Van Kunze	EGB
James Kinder	DEQ
• Tim Munson	DEQ
• Mark Hildebrand	DEQ
• Gary Collins	DEQ
Homeb / Nicholson	DEQ
• Dan Blankenship	Board
• Lloyd Kih	DEQ
BRENDA MERCHANT	WASTE CONNECTIONS
• Amber Nitter	DEQ
• Greatheartmister	DEQ
• Kathy Aebischer	DEQ
Lorena Turner	DEQ Board
• Kelly Dixon	DEQ
Kelly Warner	DEQ OMC
• Ann Evans	PSO



ENVIRONMENTAL QUALITY BOARD

Attendance Record

June 16, 2015

Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

- Batsy Streuli DEQ 405-702-7147
- Hillary Young DEQ 405-702-5188
- Clayton Eubanks DAG 405-664-7127
- Cynthia Santos eCapitol 409-569-8429
- Martha Grafton DEQ Martha.grafton@deq.ok.gov
- Griesel Davidk ODEQ Bd griesel@sbcglobal.net
- Brian McQuown OGE Energy mcquowbc@oge.com
- Erin Hatfield DEQ
- Tim Ward DEQ
- Sarah Terry-Cook The Journal Record sarah.tc@journalrecord.com
- Lundy Kiger AES lundy.kiger@AES.com
- Saba Tahmasssebi DEQ
- Eddie Turrill DEQ
- Jimmy Givens DEQ