

**REGULAR MEETING AGENDA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA ENVIRONMENTAL QUALITY BOARD**

A Public Meeting: 9:30 a.m. Friday, February 21, 2014
DEQ Multipurpose Room
Oklahoma City, Oklahoma

Please turn off cell phones.

- 1. Call to Order** – John Wendling, Chair
- 2. Roll Call** – Quiana Fields, Board Secretary
- 3. Approval of Minutes** of the November 13, 2013, Regular Meeting
- 4. Approval of Minutes** of the December 18, 2013 Special Meeting
- 5. Election of Officers** – Election of Chair and Vice-Chair for Calendar Year 2014
- 6. Rulemaking - OAC 252:100 Air Pollution Control**
 - A.** The DEQ proposes to amend Subchapter 17, Part 3, General Purpose Incinerators, and Part 9, Commercial and Industrial Solid Waste Incineration Units (CISWI), to adjust CISWI enforceable requirements and compliance dates consistent with federal requirements that were revised February 7, 2013. The proposed rulemaking incorporates changes required as a result of revisions to the emission guidelines in 40 CFR Part 60, Subpart DDDD for state plans applicable to existing CISWI units as part of the required update to Oklahoma’s Section 111(d)/129 plan.
 - B.** The DEQ proposes to revoke the existing Appendix Q (Incorporation by Reference) and to replace it with a new Appendix Q to incorporate the latest changes to EPA regulations. Among the changes proposed are the addition of the model CISWI rule in 40 CFR Part 60, Subpart DDDD, and 40 CFR Part 241, Solid Wastes Used as Fuels or Ingredients in Combustion Units, to coincide with the proposed modification of Subchapter 17. The update will also include changes to 40 CFR Part 60, New Source Performance Standards (NSPS) including the recent amendment to the oil and natural gas NSPS in 40 CFR Part 60, Subpart OOOO; and Part 63, National Emissions Standards for Hazardous Air Pollutants (NESHAP). The update includes the recent amendment to the definition of “volatile organic compound” (VOC) in 40 CFR 51.100(s)(1). In addition, the DEQ proposes to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q.
 - Presentation – Sharon Myers, Chair, Air Quality Advisory Council
 - Questions and discussion by the Board
 - Questions, comments and discussion by the public
 - Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption
- 7. Rulemaking – OAC 252:515 Solid Waste Management**
 - A.** The DEQ proposes changes to Subchapter 19 by amending and revoking Part 13, Wheel Washes, due to the expiration of the funding mechanism for reimbursement of capital investment costs

associated with the purchase and installation of a wheel wash system by landfill disposal sites and commercial incinerator facilities.

- B. The DEQ proposes to amend Subchapter 35, Oklahoma Recycling Initiative, in order to simplify requirements for governmental entities. Specifically, the DEQ is removing burdensome and unnecessary requirements for governmental entities who are applying for reimbursement under the Oklahoma Recycling Initiative.
- C. The DEQ proposes to amend Subchapter 41 by adding a new Section 13 in response to legislative changes to 27A O.S. § 2-10-802.2, relating to Roofing Material Recycling Facilities. The proposed rule clarifies the statutory provisions regarding how solid waste fees are collected.
- D. The DEQ proposes to amend OAC 252:515 by correcting outdated citations throughout Chapter 515.
 - Presentation – Jeffrey Shepherd, Chair, Solid Waste Management Advisory Council
 - Questions and discussion by the Board
 - Questions, comments and discussion by the public
 - Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

8. Rulemaking – OAC 252:606 Oklahoma Pollutant Discharge Elimination System (OPDES) Standards

The DEQ proposes to amend Chapter 606 to: (1) update the numbering of subparagraphs incorporated by reference in 40 CFR 124.10 to be consistent with the current CFR; (2) replace the provision for pro-rating the initial stormwater permit fees with a provision allowing the initial fee to cover the subsequent 12 months; and (3) revoke Appendix D and move the fee language to Section 3-4.

- Presentation – Cathy Canty, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

9. Rulemaking - OAC 252:656 Water Pollution Control Facility Construction Standards

The DEQ proposes amendments to Chapter 656 including the following to: (1) require that the submission of plans include at least one set of construction plans be on 11" x 17" paper and one set of specifications be loosely bound and suitable for scanning; (2) strengthen the existing prohibition against locating lagoons in areas subject to karstification; (3) add disinfection criteria for reclaimed water systems and distinguish those criteria from the criteria required for OPDES discharges; (4) clarify that the minimum dosage for Category 3 reclaimed water is based on MS-2 phage inactivation; (5) add traveling bridge filters as an approved method for filtration; (6) update the hydraulic loading rates for disc filters; (7) require a pilot study before designing filters to be used to polish total suspended solids from lagoon effluent; (8) add a requirement for signage around water reuse land application sites; (9) clarify that fencing is required for Category 5 reclaimed water land application sites; (10) add a requirement for above-ground signage for existing reclaimed water piping that does not meet the purple pipe standards; and (11) make other minor clarifications, reorganize some of the existing rules and make typographical corrections.

- Presentation – Cathy Canty, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

10. Rulemaking - OAC 252:710 Waterworks and Wastewater Works Operator Certification

The DEQ proposes to revoke the current Appendix A in Chapter 710 and replace it with a new Appendix A to clarify that an entity is required to meet only one of the conditions listed for a particular operator classification level in order to fall under that classification.

- Presentation – Cathy Canty, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote on permanent adoption

11. November 2014 Board Meeting Date: Discussion and Vote by Board

12. Executive Director’s Report – Scott Thompson, DEQ Executive Director

13. New Business (Any matter not known about and which could not have been reasonably foreseen prior to the time of posting of agenda)

14. Next meeting: June 17, 2014, McAlester, Oklahoma

15. Performance Review of Executive Director

Among the statutory duties of the Board are responsibilities to appoint and set the compensation of the Executive Director and to assist the DEQ in conducting periodic reviews and planning activities related to the goals, objectives, priorities, and policies of the DEQ. In connection with these responsibilities, the Board has determined that it should conduct a performance review of the Executive Director.

- In open session, discussion by the Board
- In open session, consideration of possible executive session pursuant to Title 25 Oklahoma Statutes Section 307(B)(1) (discussion of employment actions related to any individual salaried public officer or employee), if authorized by recorded majority vote of a quorum of the Board members present
- In open session, if executive session approved, designation of person to keep minutes in executive session
- In executive session, discussion of Executive Director’s performance and of possible employment actions by the Board relating to the Executive Director
- In open session, Chairman reconvenes regular Board meeting
- In open session, possible roll call vote on specific actions or recommendations as a result of the Executive Director’s performance review

16. Adjournment

Public Forum – Following Adjournment -- The Board meets several times a year at different locations across the State to hear the views and concerns of all Oklahomans about environmental issues. This opportunity is informal, and we invite you to sign the register to speak.

Should you desire to attend but have a disability and need an accommodation, please notify the DEQ three days in advance at 405-702-7100. For hearing impaired, the TDD Relay Number is 1-800-722-0353 for TDD machine use only.

Some members of the Board and senior staff members from DEQ will meet for dinner in Oklahoma City the evening of February 20, 2014. This is a social occasion. It is uncertain whether a majority of the Board will be present, but no Board or DEQ business will be conducted.