

REGULAR MEETING AGENDA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA ENVIRONMENTAL QUALITY BOARD

A Public Meeting: 9:30 a.m., Friday, February 24, 2006
DEQ Multipurpose Room
707 North Robinson
Oklahoma City, Oklahoma

Please silence cell phones.

1. **Call to Order** – Steve Mason, Chair
2. **Roll Call** – Myrna Bruce, Secretary, Board & Councils
3. **Approval of Minutes** of the November 15, 2005 Regular Meeting
4. **Election of Officers** – Election of Chair and Vice-Chair for calendar year 2006
5. **Rulemaking – OAC 252:20 Emergency Planning and Community Right to Know**
The proposed amendments generally require Tier II forms to be submitted to the DEQ electronically via the DEQ website and require inclusion of latitude/longitude information on the forms. Additional amendments clarify that submitting a paper Tier II report to the appropriate Local Emergency Planning Committee and the local Fire Department is no longer necessary since the DEQ will make the information available to those entities. Fee rules have been restructured to more closely reflect potential risk to the community, to fund DEQ costs for providing one-stop filing as requested by the regulated community and to provide funds to assist LEPCs in using Tier II data.
 - A. Presentation – Judy Duncan, Director, Customer Services Division
 - B. Questions and discussion by the Board
 - C. Questions, comments and discussion by the public
 - D. Discussion and possible action by the Board, which may include roll call vote on permanent adoption
6. **Rulemaking – OAC 252:100 Air Pollution Control**
 - The proposed amendments to Subchapter 4 incorporate by reference federal New Source Performance Standards (NSPS) in 40 CFR Part 60.
 - The proposed amendments to Subchapter 41 incorporate by reference National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR Part 61 and Part 63.
 - Proposed amendments to Subchapter 8 incorporate EPA’s revisions to the NSR permitting program under the federal Clean Air Act. The amendments include revisions to the method of determining if a modification to an NSR source is a major modification. Other amendments update and clarify language and move definitions to more appropriate locations within Chapter 100.
 - Proposed new Part 11 of Subchapter 8 incorporates the federal Best Available Retrofit Technology (BART) requirements. The BART requirements are part of the Regional Haze State Implementation Plan (SIP).

- A. Presentation – Sharon Myers, Chair, Air Quality Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

7. Rulemaking – OAC 252:300 Laboratory Accreditation

The proposed changes relate to clarification of the accreditation exception for certified laboratory operators; update of method references for drinking water laboratories; addition of new detailed requirements for standard operating procedures and methods manuals; and addition of methods for the petroleum hydrocarbon laboratory category.

- A. Presentation – Brian Duzan, Chair, Laboratory Services Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote on permanent adoption

8. Rulemaking – OAC 252:305 Laboratory Services

The proposed changes relate to the fees for laboratory analysis which are charged by the DEQ's State Environmental Laboratory. DEQ has proposed changes based upon a review of actual costs, comparison of similar fees in other states and in the private sector and projections of equipment needs for the future.

- A. Presentation – Brian Duzan, Chair, Laboratory Services Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote on permanent adoption

9. Rulemaking – OAC 252:410 Radiation Management

The proposed rulemaking changes the fee schedule for radiation machines. Some of the fees would be reduced while others would be increased. The new fees are designed to vary based on risk posed by the machine.

- A. Presentation – David Gooden, Chair, Radiation Management Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote on permanent adoption

10. Rulemaking – OAC 252:515 Solid Waste Management

Proposed amendments include:

- minor language clarifications, corrections of legal citations and typographical errors;
- proposed waste tire rule changes; and
- a five-year update, as required by rule, of the unit costs and worksheets in Appendices H and I related to annual estimated financial assurance costs for closure and post-closure of solid waste facilities.

- A. Presentation – Bill Torneten, Chair, Solid Waste Management Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

11. Rulemaking – OAC 252:606 Oklahoma Pollutant Discharge Elimination System

The Department proposes to update the incorporation by reference of certain federal regulations to July 1, 2005. The update includes the adoption of the Phase II Cooling Water Intake Rules.

- A. Presentation – Lowell Hobbs, Chair, Water Quality Management Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote on permanent adoption

12. Rulemaking – OAC 252:611 General Water Quality

The Department proposes to update the incorporation by reference of certain federal regulations to July 1, 2005.

- A. Presentation – Lowell Hobbs, Chair, Water Quality Management Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

13. Rulemaking – OAC 252:616 Industrial Wastewater Systems

A change is proposed to the requirements for sand and gravel mining operations to obtain a permit.

- A. Presentation – Lowell Hobbs, Chair, Water Quality Management Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote on permanent adoption

14. Rulemaking – OAC 252:631 Public Water Supply Operation

The Department proposes to update the incorporation by reference of certain federal regulations to July 1, 2005.

- A. Presentation – Lowell Hobbs, Chair, Water Quality Management Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote on permanent adoption

15. Rulemaking – OAC 252:690 Water Quality Standards Implementation

The Department proposes to update the incorporation by reference of certain federal regulations to July 1, 2005. The update includes the adoption of the Phase II Cooling Water Intake Rules.

- A. Presentation – Lowell Hobbs, Chair, Water Quality Management Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote on permanent adoption

16. Rulemaking – OAC 252:710 Waterworks & Wastewater Works Operator Certification

The proposed amendments reflect language clarifications and corrections of typographical errors. Included is clarification of the certification requirement for plumbing contractors.

- A. Presentation – Allen McDonald, Chair, Waterworks & Wastewater Works Advisory Council
- B. Questions and discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote on permanent adoption

17. Briefing on and discussion of current Board vacancy and factors affecting candidate field

- A. Background – Steve Mason, Chair, and Steve Thompson, Executive Director
- B. Discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible resolution or other action by the Board

18. Discussion of need for four regularly scheduled Board meetings per year

- A. Background – Steve Mason, Chair, and Steve Thompson, Executive Director
- B. Discussion by the Board
- C. Questions, comments and discussion by the public
- D. Discussion and possible action by the Board, which may include roll call vote to direct DEQ staff to initiate rulemaking action

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

20. Executive Director’s Report – Steve Thompson

21. Adjournment

Next Meetings: June 20 in Weatherford; August 22 in Ardmore; November 14 in Stillwater.

Public Forum (after adjournment): The Board meets 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.

If you desire to attend but need an accommodation due to a disability, 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 23. 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.