



# Our Legacy



O K L A H O M A  
DEPARTMENT OF ENVIRONMENTAL QUALITY

**2013 Annual Report**

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**1993:** The State Environmental Laboratory certifies first wastewater laboratory.



**1993:** As a result of the Oklahoma Environmental Quality Act, environmental protection responsibilities of the Oklahoma State Department of Health, the Oklahoma Water Resources Board, and the Department of Pollution Control were transferred to the newly formed Department of Environmental Quality.



**1994:** Oklahoma receives authorization to manage the Solid Waste Subtitle D Program.

During my tenure with DEQ, I have written many letters for the Annual Report. With each letter, I took time to reflect upon the past year. I contemplated the highs and lows, smiled thinking about the talented people that make up DEQ and sat in amazement that another year had gone by.

Now, as I write this letter, several thoughts come to mind. Foremost, I cannot believe that 20 years have passed since DEQ was created. For those of us who were here in the beginning it feels as though it was a lifetime ago, and yet at the same time, a mere blink of the eye.

I am extremely proud of all that DEQ has accomplished in 20 years. Due to the efforts of many, our air, land and water have benefitted greatly. I say with great confidence that Oklahoma is a cleaner, healthier state, in part, because of work done through DEQ's programs.

There have been many milestones and great achievements in these 20 years. The timeline included in this report details what we, as an agency, have been doing for the past two decades. We have achieved many impressive accomplishments.

I am lucky to have worked with and shared a part of my life with the people of DEQ. It has truly been an honor.

I hope DEQ continues to build on momentum from the past 20 years as it looks to an even brighter future.

Sincerely,



Steven A. Thompson



## One to remember...



**1994:** Oklahoma realizes the need for a more uniform process for issuance of environmental permits and believes the public has a right to be involved. The state Legislature enacts the Oklahoma Uniform Environmental Permitting Act.



**1994:** The state Legislature establishes a Drinking Water Treatment Revolving Loan Account for DEQ and the Oklahoma Water Resources Board.



**1994:** The Oklahoma Pollution Prevention Act is approved by Governor David Walters.

# Environmental Quality Board

\*Chair  
\*\*Vice Chair

Member	Professional Realm	Appointing Official	Term Expires
Mike Cassidy	Agriculture Industries	Governor	1/31/2015
Anthony "Tony" Dark	Water Usage	Governor	1/31/2014
David Griesel	Solid Waste Industry	Governor	1/31/2017
Tracy Hammon	Petroleum Industry	Governor	1/31/2014
Jerry Johnston	Local Governing Board of City or Town	Governor	1/31/2015
James "Jimmy" Kinder	Rural Water District	Governor	1/31/2017
Jan Kunze**	Conservation District Representative	Governor	1/31/2016
Steve Mason	Hazardous Waste Industry	Governor	1/31/2016
Tim W. Munson	Non-profit Statewide Environmental Organization	Governor	1/31/2018
Karol "Terri" Savage	Non-profit Statewide Environmental Organization	Governor	1/31/2017
Billy G. Sims	Non-profit Statewide Environmental Organization	Governor	1/31/2014
Kerry Sublette	Environmental Professional	Governor	1/31/2013
John Wendling*	Manufacturing	Governor	1/31/2018



**1995:** The State Environmental Laboratory certifies the first drinking water and wastewater laboratory.



**1995:** DEQ joins the national Adopt-a-Street program.



**1995:** Oklahoma City-County Health Department's Air Program is consolidated with DEQ.



**1996:** The agency receives interim approval of the Title V Air Program, which is a program designed to standardize air quality permits for major sources of emissions.

# Environmental Quality Board Members



**Top row from left to right:**

*Mike Cassidy, Anthony "Tony" Dark, David Griesel, Tracy Hammon, Jerry Johnston, James "Jimmy" Kinder, Jan Kunze, and Steve Mason*

**Bottom row from left to right:**

*Tim W. Munson, Karol "Terri" Savage, Billy G. Sims, Kerry Sublette, and John Wendling*

The Environmental Quality Board, which is the rulemaking body for the Department of Environmental Quality (DEQ), is a 13-member body appointed by the Governor with the advice and consent of the Senate. Members of the Board are drawn from a variety of industrial, commercial, governmental and public interest backgrounds. During state fiscal year 2013 (FY 2013), the Board took rulemaking actions affecting 9 of the existing 30 chapters of DEQ rules.

Rule proposals were reviewed and recommended by the appropriate advisory council before presentation to the Board for adoption. Each advisory council is comprised of nine or ten individuals representing a broad range of perspectives, all of whom have substantial experience and/or interest in those areas within the purview of that advisory council. Prior to action on any rule proposal, the councils offer the opportunity for written and oral comments by individuals and entities interested in the rule. The level of

public participation is often high and helps to significantly shape the rule proposals that are eventually presented to the Board.

To become effective, rules adopted by the Board must be approved by the Governor and the state Legislature. The rules adopted by the Board in FY 2013 received gubernatorial and legislative approval except for 252:515-14-13, which was disapproved by the Governor on April 8, 2013.

The table on pages 4-6 summarizes rulemaking actions by the Board in FY 2013.



**1996:** DEQ purchases the old Southwestern Bell building at NW 6th and Robinson in Oklahoma City and begins preparations to relocate.



**1996:** The state Legislature passes the Oklahoma Brownfields Voluntary Redevelopment Act, allowing entities to voluntarily clean up contaminated properties under DEQ oversight so the properties can be beneficially reused.

# Environmental Quality Board Rulemaking Activities

Chapter	Council	Subject	Adopted	Type	Effective
4	EQB	Update DEQ's rules of practice and procedure due to statutory changes; correct errors in the text of the rules; clarify permit review and correction opportunities for an applicant prior to issuance of a permit; clarify the process for an applicant who wishes to seek agency review of the final permit decision and what constitutes the administrative record for such review; clarify that a declaratory ruling request is a prerequisite to seeking judicial review of a final permit decision.	2/22/13	Permanent	7/1/13
4	WQMAC	Correct unintended consequences from last year's rulemaking efforts in an effort to include reclaimed water permits in the Tier classifications.	2/22/13	Permanent	7/1/13
100	AQAC	Update the incorporation by reference and adopt a new Appendix Q.	2/22/13	Permanent	7/1/13
100	AQAC	Modify requirements for air curtain incinerators. Also modify the rule to allow, under certain conditions, the transport of materials from the site where they were generated to the site where they would be burned, extend hours of operation and prohibit use during Ozone or Particulate Matter watches in Tulsa or OKC Metropolitan Statistical Areas.	2/22/13	Permanent	7/1/13

## Environmental Quality Board Rulemaking Activities

Chapter	Council	Subject	Adopted	Type	Effective
100	AQAC	Move an existing continuous opacity requirement from OAC 252:100-31 to OAC 252:100-25 which is a more appropriate location.	2/22/13	Permanent	7/1/13
205	HWMAC	Incorporation by reference, correction of a typographical error and clarification of documentation retention requirement.	11/7/12	Permanent	7/1/13
303	LSAC	Extend implementation date of TNI laboratory standards from January 2013 to January 2016.	11/7/12	Emergency	12/5/12
303	LSAC	Extend implementation date of TNI laboratory standards from January 2013 to January 2016.	11/7/12	Permanent	7/1/13
515	SWMAC	Addition of new subchapter to implement legislative requirements for roofing material recycling facilities.	2/22/13	Permanent	7/1/13
515	SWMAC	Amend definition of Land Disposal Facility to exempt roofing material recycling and used tire facilities. Add rule relating to exterior and interior slopes to comply with legislative changes.	2/22/13	Permanent	7/1/13



**1996:** The Safe Drinking Water Act Amendment is enacted to further protect public health through regulatory improvements, which gives facilities some relief from more onerous requirements, creates a source water protection program, increases public participation and notification, and establishes the Drinking Water State Revolving Fund, which provides funding for program implementation and funding for public water supply system improvements.

# Environmental Quality Board Rulemaking Activities

Chapter	Council	Subject	Adopted	Type	Effective
606	WQMAC	Incorporation by reference of federal rules.	2/22/13	Permanent	7/1/13
616	WQMAC	Clarify language relating to fee applicability and record-keeping and reporting requirements and update Appendix C with the latest rainfall and evaporation data.	2/22/13	Permanent	7/1/13
631	WQMAC	Incorporation by reference; update of analytical testing methods; fee increase to continue regulating public water supply systems plus take on existing rules currently under EPA's authority.	2/22/13	Permanent	7/1/13
690	WQMAC	Incorporation by reference; clarification of language; modification of rules for consistency with Oklahoma Water Resources Board rules; other minor clarifications.	2/22/13	Permanent	7/1/13

AQAC refers to the Air Quality Advisory Council; HWMAC refers to the Hazardous Waste Management Advisory Council; LSAC refers to the Laboratory Services Advisory Council; RMAC refers to the Radiation Management Advisory Council; SWMAC refers to the Solid Waste Management Advisory Council; and WQMAC refers to the Water Quality Management Advisory Council.



**1996:** DEQ receives delegation of the National Pollutant Discharge Elimination System (NPDES) Program from EPA.



**1996:** The Environmental Complaints and Local Services Division launches the Certified Installer Program, which certifies septic system installers to inspect their own installations.



**1997:** DEQ receives delegation of the Storm Water and Pre-Treatment Program.

# Air Quality Advisory Council

\*Chair  
\*\*Vice Chair

Member	Professional Realm	Appointing Official	Term Expires
Gerald A. Butcher	Electric Utilities	Governor	6/15/2020
Montelle Clark	General Public	Governor	6/15/2019
Gary Collins	Agriculture	Governor	6/15/2017
David Gamble	Petroleum	Governor	6/15/2019
Jim Haught **	Transportation	Governor	6/15/2014
Laura Lodes *	Engineering	Governor	6/15/2020
Robert Lynch	Higher Education	Governor	6/15/2018
Sharon Myers	General Industry	Governor	6/15/2016
J. Kelly Dunkerley	Local Government	Governor	6/15/2015

The Air Quality Advisory Council is authorized by the Oklahoma Clean Air Act to review air quality issues and hold public hearings as part of the state’s rulemaking process. Once approved by the nine-member panel, proposed rules are recommended to the Environmental Quality Board (EQB). Upon EQB adoption, the rules proceed to the state

Legislature and Governor for final approval and adoption.

After 17 years of service on the council representing the electric utility industry, David Branecky resigned from the council after retiring from OG&E. Following that departure and the resignation of Pete White, the council

welcomed new members Gerald Butcher (electric utilities) and Kelly Dunkerley (local government).

In its quarterly hearings for FY 2013, the Air Quality Advisory Council recommended adoption of Appendix Q, Incorporation By Reference, to incorporate the latest

*continued on next page...*



**1998:** The agency issues its first pesticides-in-fish consumption advisory.



**1998:** Oklahoma City-County Health Department’s and Tulsa City-County Health Department’s environmental functions are consolidated with DEQ.



**1998:** The State Environmental Laboratory receives its first Drinking Water primacy laboratory certificate from the Environmental Protection Agency.

modifications to federal regulations, and update language in Subchapter 2, Incorporation By Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q. The appendix is updated annually to incorporate federal regulations that will be enforced by the state.

In keeping with the division's continuing effort to clarify and streamline the Air Pollution Control rules, a longstanding continuous opacity monitoring requirement was moved from Subchapter 31 (which deals with sulfur emissions) to a more appropriate location – Subchapter 25 (Visible Emissions and Particulates). The change is not expected to create any additional requirements for facilities subject to either rule.

In January 2013, the council recommended amendments to Subchapter 13, Open Burning, to clarify the requirements for "air curtain incinerators" (ACIs), also known as "air curtain destructors" and "open-pit incinerators." The new rule now requires that land clearing operations in the entirety of the Oklahoma City and Tulsa Metropolitan Statistical Areas (MSAs) use ACIs. Previously, they were required to be used only in Oklahoma and Tulsa Counties.

The Oklahoma City MSA comprises Canadian, Cleveland, Grady, Lincoln, Logan, McClain, and Oklahoma Counties. The Tulsa MSA comprises Creek, Okmulgee, Osage, Pawnee, Rogers, and Tulsa Counties. Burning of land clearing materials in an ACI instead of a burn pile can reduce emissions by about 90 percent and lower the risk of escaped fires and embers. The changes add flexibility in the operation of these units, including an extension of allowed hours of operation. Additionally, the rule modification will allow, under certain conditions, the transport of materials from the site where they are generated to the site where they would be burned. To ensure adequate protection of public health by reducing air pollution on days that ozone or particulate matter (PM) concentrations are expected to exceed National Ambient Air Quality Standards, the rule prohibits open burning in areas under an Ozone or PM Watch.

At its April 2013 meeting, the council recommended adding a new permit by rule (PBR) for minor facilities and area sources in the oil and natural gas (O&NG) sector. A significant number of the minor facilities and area sources in the O&NG sector are subject to recent changes in the federal New

Source Performance Standards (NSPS) and the federal National Emission Standards for Hazardous Air Pollutants (NESHAPs) and will now be required to obtain air quality permits. The proposal would establish a comprehensive PBR encompassing the requirements for minor facilities and area sources in the O&NG sector. The PBR would streamline the permitting process for qualifying minor facilities. This rule was recommended by the council as both a permanent and an emergency rule, since the U.S. Environmental Protection Agency's (EPA) compliance date is set for October 2013.

Also at the April meeting, the council recommended an update of the Primary Ambient Air Quality Standards to align Oklahoma's rules with recent changes made by EPA to strengthen the standard for PM 2.5 from 15.0  $\mu\text{g}/\text{m}^3$  to 12.0  $\mu\text{g}/\text{m}^3$ . Both the PBR rule and the ambient air standard are slated for consideration by the Environmental Quality Board at its August 2013 meeting, and would be effective as permanent rules in July 2014.



**1998:** Agency staff start moving into the renovated Southwestern Bell building in Oklahoma City.



**1998:** DEQ begins financing the septic system grant program. The program was previously funded by federal grants.



**1998:** The State Environmental Laboratory begins analytical support for the Beneficial Use Monitoring Program (BUMP).

# Hazardous Waste Management Advisory Council

\*Chair  
\*\*Vice Chair

Member	Professional Realm	Appointing Official	Term Expires
Eric Benson	Political Subdivision	Governor	3/1/2014
Earl Hatley	Non-profit Environmental Organization	Governor	3/1/2012
Bob Kennedy	Industry	Governor	3/1/2014
Wesley Anderson	Industry Generating Hazardous Waste	Senate President Pro Tempore	2/13/2015
Michael D Graves	General Public	Senate President Pro Tempore	5/12/2015
Marsha Slaughter	Political Subdivision	Senate President Pro Tempore	3/11/2015
Terry Vandell	Geology	Speaker of the House	3/31/2013
Ray Reaves **	Engineering	Speaker of the House	3/31/2015
Lee Grater *	Hazardous Waste Industry	Speaker of the House	3/31/2014

*H*azardous Waste Management Advisory Council member Steven Bogdahn was replaced by Eric Benson.

In FY 2013, HWMAC recommended to the Environmental Quality Board (EQB) the:  
1) Update of adoption by reference of EPA rules to the latest available option. These changes were necessary due to

revised federal rules that are adopted by reference:  
a) Correction of a typographical error in the entry of "K107" in a table listing hazardous wastes from specific sources; and  
b) Conforming change at 40 CFR 266.20(b) to clarify that a recycling facility must keep a one-time

certification and notification related to recyclable materials being used in a manner constituting disposal.

The changes were recommended to EQB by the HWMAC at the October 18, 2012, council meeting and approved by EQB at the November 7, 2012, meeting.



**1998:** The Air Quality Division begins monitoring Particulate Matter 2.5.



**1998:** The Air Quality Division receives delegation of the Lead-Based Paint Program.



**1998:** DEQ issues its first General Permit in the NPDES program, expediting the permit process.

# Radiation Management Advisory Council

\*Chair  
\*\*Vice Chair

Member	Professional Realm	Appointing Official	Term Expires
Christopher Honigsberg	Industry which uses sources of radiation in its manufacturing or processing business	Governor	7/31/2013
Karen Jennings	Environmental Organization	Governor	7/1/2015
Steve Woods**	Engineering Profession	Governor	7/1/2014
Nadine Barton	General Public	Senate President Pro Tempore	1/3/2014
Wayne Conway	Industrial Radiography	Senate President Pro Tempore	3/3/2016
George MacDurmon*	Faculty of institute of higher learning of university status	Senate President Pro Tempore	1/4/2015
Chad Mashburn	Petroleum Industry	Speaker of the House	6/30/2014
Eric Mitchell	Transportation Industry	Speaker of the House	6/30/2013
Shawn Heldebrandt	Medical Industry	Speaker of the House	6/30/2015

George MacDurmon was elected as the new chair, Steve Woods as the new vice-chair.

The Radiation Management Advisory Council met on November 1, 2012. The council was briefed on:

- 1) The passage of legislation regarding regulation of certain X-ray machines;
- 2) DEQ advocacy of legislation that would protect DEQ's ability to control sensitive information about radioactive material licenses; and
- 3) Potential forthcoming legislative activity and rulemaking that would affect the certification and possible suspension or revocation of certification for industrial radiographers.



**1998:** DEQ receives Drinking Water State Revolving Fund (DWSRF) grant in the amount of \$17,561,900.



**1998:** DEQ's first low-interest loan out of the DWSRF is awarded to the City of Cushing to construct a new water treatment plant.

# Solid Waste Management Advisory Council

\*Chair  
\*\*Vice Chair

Member	Professional Realm	Appointing Official	Term Expires
Matthew B. Newman	Solid Waste Incineration, waste-to-energy industry	Governor	6/30/2016
Traci Phillips	Statewide Environmental Organization	Governor	3/1/2016
Ajay Kumar	General Public	Governor	3/1/2014
Rodney L. Cleveland	County Commissioner	Governor	3/1/2015
Steve Landers	Industry Generating Solid Waste	Senate President Pro Tempore	3/17/2014
Jim Linn**	Political Subdivision	Senate President Pro Tempore	3/1/2016
Bill Torneten	Geology	Senate President Pro Tempore	3/1/2015
Brenda Merchant	Transportation	Speaker of the House	12/4/2014
M. Todd Adcock	Solid Waste Disposal Industry	Speaker of the House	3/7/2014
Jeffrey A. Shepherd*	Engineering	Speaker of the House	10/31/2013

Solid Waste Management Advisory Council member Rodney Cleveland replaced Ralph Triplett, Jr., who resigned. Additionally, Ajay Kumar filled the vacancy created by Jay Stout's resignation.

In FY 2013, SWMAC recommended to EQB the following:

- 1) The department proposed to amend OAC 252:515-1-2 to exempt from the definition of "Land Disposal Facility" roofing material recycling facilities and used tire recycling facilities.
- 2) The department also proposed to add a new OAC 252:515-19-50 in response to recent legislative changes to 27A O.S. § 2-10-801.2, pertaining to exterior and interior slopes, and renumbering the remaining Subchapter 19, Part 5.
- 3) The department proposed to amend OAC 252:515 by adding a new Subchapter 41 in response to recent legislative changes to 27A O.S. § 2-10-802.2, relating to Roofing Material Recycling Facilities.

The changes were recommended to EQB by the SWMAC at the January 17, 2013, council meeting, and approved by EQB at the February 22, 2013, meeting.

# Waterworks and Wastewater Works Advisory Council

\*Chair  
\*\*Vice Chair

Member	Professional Realm	Appointing Official	Term Expires
Robert Carr, Jr.	OK Municipal League	Governor	6/30/2015
Bill Clark	Environmental Training Center/Higher Education	Governor	6/30/2013
Christopher T. Bridges	Building Official	Governor	6/30/2014
Allen McDonald	Waterworks Operator	Speaker of the House Pro Tempore	6/27/2013
Karl Potochnik	OK Rural Water Association	Speaker of the House Pro Tempore	7/8/2014
Jon D. Nelson**	Wastewater Works Operator	Speaker of the House Pro Tempore	6/30/2015
Carl Gray	OK Water & Pollution Control Association	Senate President	7/1/2015
Arnold Miller*	OK Water & Pollution Control Association	Senate President	6/30/2015
Mark Matheson	OK Rural Water Association	Senate President	6/30/2014

No rulemaking action was taken by the Waterworks and Wastewater Works Advisory Council in FY13.



**1999:** DEQ is recognized at the National Customer Service Conference and recommended for an Environmental Management Innovation Award for its environmental complaints program.



**1999:** Agency staff respond to the deadly May 3rd tornados.



**2000:** Oklahoma signs an agreement with the Nuclear Regulatory Commission (NRC) to assume NRC regulatory authority.

# Water Quality Management Advisory Council

\*Chair  
\*\*Vice Chair

Member	Professional Realm	Appointing Official	Term Expires
Cathy Canty	General Public	Governor	3/1/2014
Michel J. Paque*	Environmental Organization	Governor	3/1/2015
Jeffrey E. Short	Engineering	Governor	3/1/2016
Jim Rodriguez	Industry	Senate President Pro Tempore	3/16/2014
Steve Sowers	Oil Field Related	Senate President Pro Tempore	3/2/2015
Duane L. Winegardner**	Geology	Senate President Pro Tempore	3/2/2015
Debbie Wells	Rural Water District	Speaker of the House	8/20/2013
Vacant	Agriculture	Speaker of the House	
Elizabeth Waner	Local Government	Speaker of the House	6/30/2013

The Water Quality Management Advisory Council (WQMAC) is made up of nine members, who are appointed for three-year terms and who represent a wide variety of interested parties. Three members are appointed each by the Governor, the Speaker of the House, and the President Pro Tempore of the Senate. WQMAC typically meets three times a year, in January, July and October. However, additional meetings are sometimes

scheduled in order to address a rule change that does not fit the regular meeting schedule.

WQMAC reviews and recommends rules governing water quality to the Environmental Quality Board. Currently, 16 chapters of rules are under the authority of WQMAC. These include regulations for public water supply, minor public water supply, industrial and municipal wastewater, water and wastewater

construction standards, pretreatment, biosolids, water reuse, Drinking Water State Revolving Fund, small public and private systems, septage pumps and transporters, underground injection control, and implementation of water quality standards.

During FY 2013, WQMAC passed rule changes to Chapters 4, 606, 616, 631, and 690.



**2001:** DEQ receives final approval from EPA for the Oklahoma Title V Air Program.



**2001:** DEQ receives its initial Brownfields Revolving Loan Fund grant, which provides funds to clean up contaminated properties.

# Laboratory Services Advisory Council

\*Chair  
\*\*Vice Chair

Member	Professional Realm	Appointing Official	Term Expires
Brian Duzan	Private Laboratory	Governor	7/1/2015
Ray Powers	Permit Holder	Governor	7/1/2013
James Roberts	Field of Hydrogeology	Governor	7/1/2014
Scott Haas	Private Laboratory	Senate President Pro Tempore	9/9/2015
William J. Janacek	Public Laboratory	Senate President Pro Tempore	9/9/2013
Elaine Stebler*	Microbiology	Senate President Pro Tempore	9/9/2014
Anthony Bright	Environmental Chemistry	Speaker of the House	2/1/2013
Kenneth Crawford	Private Laboratory	Speaker of the House	3/7/2014
Matt Grimes**	Permit Holder	Speaker of the House	3/7/2014

The Laboratory Services Advisory Council (LSAC) met twice in FY13. The Laboratory Accreditation Program certifies public, private and industrial laboratories to ensure that laboratory data submitted to DEQ is of known and documented quality and suitable for use in environmental decision making. The July 2012 meeting approved both an emergency rule and a permanent rule to extend the 2013 date to become a TNI (The NELAC Institute) Accreditation Body, until

2016. The laboratory accreditation program continues preparation to become a TNI-AB, a nationally recognized organization.

The June 2013 meeting approved the revision of the laboratory certification rules to include EPA's Method Update Rule revisions.

Oklahoma House Bill 1455, creating the Streamlining and Savings Act of 2013, was enacted by the legislature and approved by

Governor Fallin on May 10, 2013. As a result of HB 1455, LSAC is to be disbanded and replaced by a single, private laboratory council person serving on an expanded 12-member Water Quality Management Advisory Council.

DEQ and SELS appreciate the hard work and dedication of all LSAC council members in its 20-year history.

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# Mission Statement

## The Department of Environmental Quality

...to enhance the quality of life in Oklahoma and protect the health of its citizens by protecting, preserving and restoring the water, land and air of the state, thus fostering a clean, attractive, healthy, prosperous and sustainable environment.

### Fiscal Year 2013 Goals

#### GOAL ONE:

Solve problems through effective processes and customer service approaches.

#### GOAL TWO:

Provide standardized, effective, timely and enforceable permitting processes.

#### GOAL THREE:

Provide services to citizens, businesses and local governments on issues within the Department's mission.

#### GOAL FOUR:

Solve problems through a responsive, equitable and timely environmental complaints process and emergency response system.

#### GOAL FIVE:

Provide consistent inspection, monitoring and enforcement within the bounds of the Department's statutory jurisdiction.

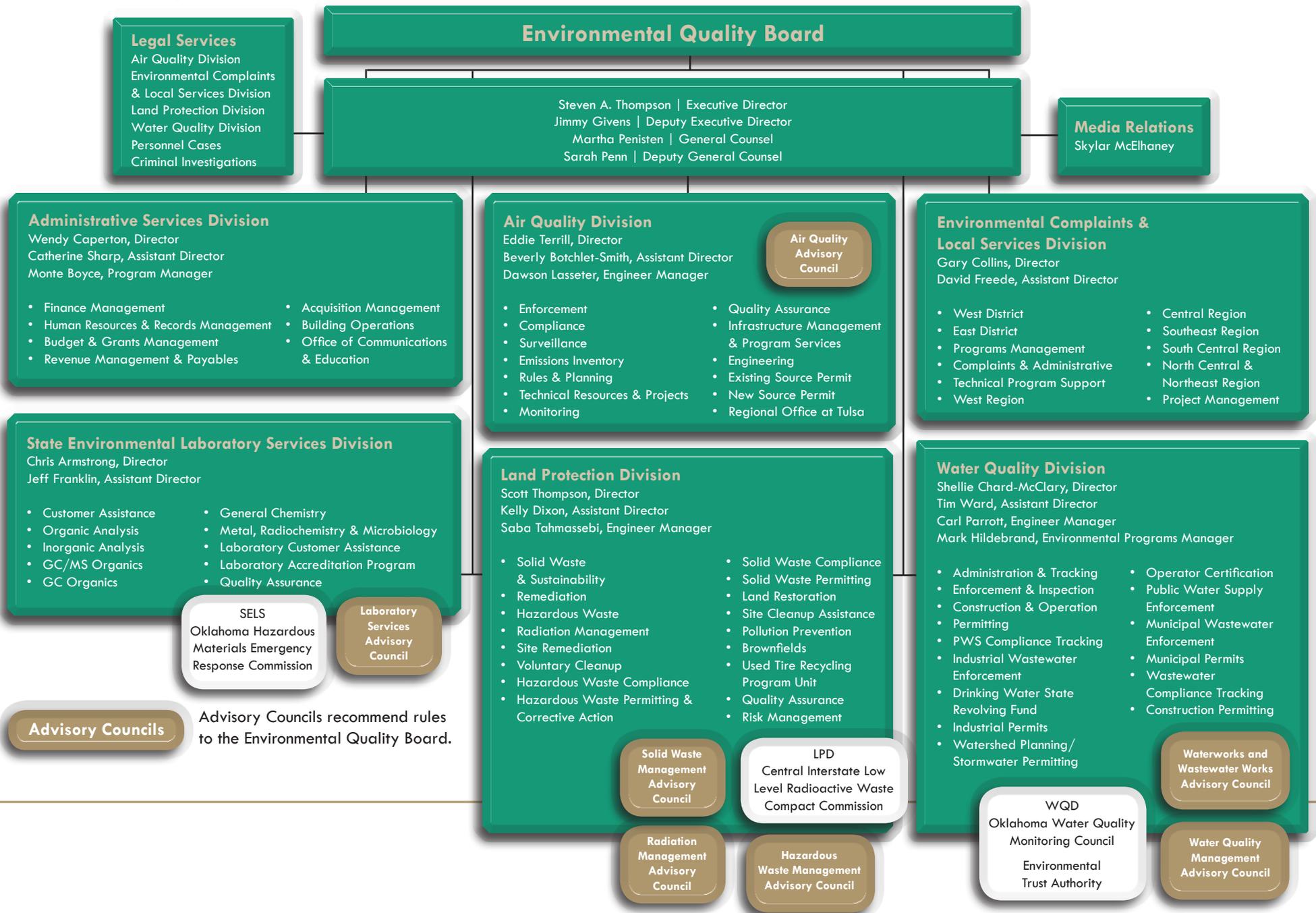


**2001:** DEQ begins using soil profiles instead of percolation tests to determine what type of on-site sewage treatment system is most appropriate for a parcel of land.



**2002:** DEQ establishes a Green Team to promote environmental awareness and sustainable practices within the agency, its customers, and business community.

# DEQ Organizational Chart



# Recognizing the Best

Exceptional performance, superior customer service, teamwork, problem solving, and leadership skills are all traits demonstrated by DEQ's employees of the quarter and employee of the year. This group of employees is an example of the great work being done in state government.



**Melissa Adler-McKibben**  
Land Protection Division  
Employee of the First Quarter



**Clifton Hoyle**  
Land Protection Division  
Employee of the Second Quarter



**Lin Kottke**  
Environmental Complaints  
and Local Services  
Employee of the Third Quarter  
and Employee of the Year



**Amy Smith**  
Administrative Services Division  
Employee of the Fourth Quarter

# Dedication...

**2002:** The State Environmental Laboratory begins testing drinking water for disinfection byproducts.

**2003:** DEQ goes online with PeopleSoft Financial System through the Office of State Finance.

**2003:** The Air Quality Division begins air toxics sampling.

# Introduction

In July 1993, the Oklahoma Department of Environmental Quality (DEQ) charted new territory with respect to environmental regulation. Responsibility for environmental protection was previously dispersed among multiple agencies. After passage of the Oklahoma Environmental Quality Act, DEQ was formed to better unite protection of the state's most precious resources: air, land, and water.

Over the past 20 years, DEQ's focus has been to maintain and improve Oklahoma's environment, which will result in a better quality of life for all Oklahomans and for future generations. Through permits, monitoring, inspections and several other activities, DEQ is committed to protecting our environment and our future.

## Programs

DEQ relies on its programs to carry out its mission. The agency strives to develop innovative solutions to the environmental challenges of today and to foster a good business climate in the state. DEQ is an advocate of environmental stewardship and that trait is reflected in all agency activities.



**2004:** The agency establishes the Central Records Section, a repository for DEQ records from all divisions.



**2004:** The Environmental Protection Agency sets the new 8-hour Ozone National Ambient Air Quality Standard at .08 parts per million.



**2004:** The Water Quality Division implements Capacity, Management, Operation, and Maintenance Program to address wastewater collection system deficiencies.

# Air Quality

Air pollution doesn't have boundaries; poor air quality can impact every Oklahoman. Through a network of partners, including businesses, municipalities, other agencies, and industry, the Air Quality Division (AQD) implements measures to ensure that all citizens have healthy air to breathe.

Pollution comes from a variety of sources, both natural and human. Through implementation of federal and state Clean Air Acts, the agency continuously monitors the quality of air and warns the public when conditions could be

hazardous, recommends rules and operates regulatory programs, and responds to complaints about air quality.

In Oklahoma, air quality has improved dramatically since passage of the Clean Air Act. Twenty-year trends show significant improvement of air quality in Oklahoma. As a result of stricter standards for pollutants and emission sources of pollutants, the state has seen continued reduction in ambient concentrations of ozone.

**2005:** A state residential buyout is offered to families with young children who live within the Tar Creek superfund site. The buyout follows reports of elevated blood lead levels in kids. About 52 families are relocated.

**2006:** A federal buyout is extended to families in the Tar Creek area following a U.S. Army Corps of Engineers' study that reveals parts of the area are sitting on top of underground mines that could eventually collapse.

**2006:** DEQ becomes a smoke-free campus.

# Protection of Our Land

The Land Protection Division is tasked with diverse responsibilities. The division regulates the treatment and disposal of solid and hazardous waste, oversees cleanup of contaminated sites through regulatory and voluntary programs, works with first responders following emergencies, permits and inspects some underground injection wells, and manages radioactive materials.

DEQ promotes pollution prevention and reuse, and the Land Protection Division carries that

banner forward with its programs. The division has ambitious goals to return properties to productive and beneficial uses, clean up contaminated land, and assist communities with recycling used tires and other materials.

The staff in the Land Protection Division leaves lasting impressions across Oklahoma. Management of Oklahoma's land is intimately linked to protection of public health and the overall environment.

**2006:** The Air Quality Division begins monitoring mercury.

**2007:** The Environmental Protection Agency promulgates the Tar Creek Chat Rule allowing for the use of chat in transportation projects.

**2007:** The Oklahoma Highway Remediation and Cleanup Services Act passes. The Act addresses hazardous materials spills as a result of traffic accidents.



*At the  
Local Level*

The Environmental Complaints and Local Services Division (ECLS) is responsible for bringing DEQ's environmental programs to the local level. ECLS's environmental specialists are located throughout the state and have the ability to handle issues related to air, land and water.

ECLS provides regulatory inspections and technical assistance for facilities with a DEQ permit. The division is solely responsible for all aspects of the on-site sewage program. This includes soil tests, design of systems, inspection of system installations and regulatory oversight of certified installers and septage pumpers and haulers. In addition, a top priority for ECLS is to answer, investigate and find solutions to citizen complaints regarding pollution. On average, ECLS responds to more than 3,000 complaints per year.

Recently, ECLS was instrumental in the development and implementation of a debris disposal plan in the wake of devastating tornados and flooding. ECLS staff coordinated with local leaders to foster efficient solutions for communities in the impacted areas. This is just one example of the dedication in this division.

**2007:** The Skirvin Hilton Hotel reopens after going through the agency's Brownfields Revolving Loan Program.

**2008:** The Environmental Protection Agency strengthens the 8-hour Ozone National Ambient Air Quality Standard to .075 parts per million.

**2008:** DEQ forms the Our Facility Program to target assistance to struggling small wastewater systems.



## *In the Lab*

DEQ scientists in the State Environmental Laboratory Services Division (SELS) measure and analyze a myriad of parameters in water, waste, soil, and fish samples. Results determined by SELS help the agency make key decisions about specific situations. The information assists the agency in dealing with environmental, public health, and emergency response issues in a timely and effective manner. In fact, up to 30 percent of the divisional work effort goes into EPA sanctioned Principal Laboratory activities.

In addition to providing support for DEQ programs, SELS also lends its services to the general public, other state agencies, and Oklahoma's more than 1,600 public water supply systems. Each year, laboratory scientists process about 30,000 bacteriological samples and perform more than 70,000 chemical tests. SELS staff help ensure the safety of Oklahomans by providing technical assistance to more than 12,000 customers annually. In addition, the Laboratory Accreditation Program certifies more than 140 laboratories annually to perform analytical compliance work within the state boundaries.



**2008:** The Oklahoma Computer Equipment Recovery Act passes as part of a nationwide effort to establish convenient and environmentally sound collection, recycling, and reuse of electronics.



**2009:** The Oklahoma Brownfields Voluntary Redevelopment Act is amended, giving DEQ authority to require more thorough site characterization, require long term stewardship plans, and audit completed projects.

# Water Wise

Protection of water in our state is the foundation for all programs in the agency's Water Quality Division (WQD). The division is responsible for regulation of more than 1,600 public water supply systems in Oklahoma and more than 1,700 wastewater systems. Some of those systems serve a handful of consumers; some serve tens of thousands of people; while others serve only the employees of an industrial facility. WQD staff work every day to maintain clean water for all Oklahomans.

Through permitting, monitoring, inspection, and training programs WQD regulates facilities that produce and distribute public drinking water and that treat, transport, store, reuse

and discharge wastewater. The division also, in partnership with other agencies, works to ensure that water quality standards in Oklahoma's lakes, rivers, and streams are maintained.

WQD's responsibilities have become increasingly important. Oklahoma's water resources are diverse. While many regions are blessed with an abundant water supply, other areas of the state are not. In the last three years Oklahoma has seen an extreme drought worse than the Dust Bowl era, severe flooding, and devastating tornados. Quantity and sometimes the quality of water available in our state has emphasized the need to protect this valuable asset through conservation and reuse.

## *Did you know...*

Ninety-seven percent of Earth's water is in the oceans. Two-percent is frozen, and only one percent is suitable for drinking. DEQ relies on all Oklahomans to help conserve and protect this precious resource.

**2009:** DEQ switches to 100-percent wind power.

**2010:** The State Environmental Laboratory completes analysis of its 1,000,000th sample.

**2010:** Oklahoma submits its Regional Haze State Implementation Plan to the Environmental Protection Agency.

**2010:** The agency issues its first mercury-in-fish consumption advisory.

# Looking to the Future

Planning for the future is both rewarding and challenging. Since its inception in 1993, the Oklahoma DEQ has evolved to better meet the needs of the citizens of this great state. Looking back over the past 20 years, the agency has achieved numerous milestones, including better tools to alert the public when air pollution levels are elevated; streamlined permitting processes that encourage public participation; robust waste management and cleanup programs that center around compliance as opposed to enforcement; local field staff that have forged lasting partnerships with communities; a complaints system that began with high standards and that we continue to improve to respond to citizens in the most efficient way possible; multiple programs to ensure clean, safe water; scientists that stand ready at a moment's notice to respond to environmental emergencies; and laboratory analysts that work around-the-clock to ensure the public's safety.

Advancements in technology and emerging science have helped us prepare for the future. Looking ahead, DEQ will continue to tap into

innovative ways to share information with its stakeholders. The agency is working toward improvements for its Geographical Information Systems (GIS) software. Additionally, agency staff plan to unveil a more user-friendly website in the near future. DEQ realized a need to reach a larger audience with its message and started using social media within the past year. Many employees now use electronic devices to record critical inspection information and transmit reports.

DEQ will continue to look at ways to encourage wise management of our resources. The agency works with the regulated community, state and local leaders, business owners, and citizens to ensure protection of public health and the environment. DEQ looks forward to continuing those partnerships and hopes to inspire the next generation of environmental leaders.



**2011:** The State Environmental Laboratory Services Division initiates harmful algal bloom testing.



**2011:** As the result of significant blue-green algae blooms in Oklahoma, the Environmental Complaints and Local Services Division proposes rules to reduce the amount of nutrients that wash into water bodies. The rules focus on the installation of nutrient-reducing septic systems around lakes that are considered impaired.



**2012:** The State Environmental Laboratory certifies its 3,000th laboratory.

# When Disaster Strikes

The tornados and flooding in May 2013 had a devastating effect on Oklahoma. Lives were lost. Property was destroyed. The emotional, physical and financial toll was incalculable. Fortunately, Oklahomans are well-known for their kind hearts and giving spirit and help was available just minutes after the storms. Some of that assistance was provided by DEQ personnel.

DEQ's environmental investigators responded to the May 20th tornado in Moore and played

a role in the search and recovery. Michael Freeman, Don McElhaney, and Dennis Williams worked into the early morning of May 21st to provide assistance to those in need. They continued to aid in the cleanup as well as search and recovery, for several weeks.

DEQ personnel reported to the state Emergency Operations Center (EOC) the afternoon of May 20th. The agency was able to respond to requests for information from other agencies and determine areas

where local DEQ staff might need to conduct assessments. Coordination with FEMA and the Oklahoma Department of Emergency Management on debris issues began soon after the storms.

Staff from the Water Quality Division and Environmental Complaints and Local Services (ECLS) Division contacted water and wastewater facilities in the affected areas. Critical information was compiled to provide

*continued on next page...*



**2012:** New state regulations are promulgated for construction and operation of water reuse facilities.

**2012:** DWSRF closes loans on 142 public water supply projects in the amount of \$742,686,181 since the program's inception in 1998.

**2012:** Oklahoma receives partial approval of Regional Haze State Implementation Plan.

**2013:** The Air Quality Division issues its 20,000th air permit.



technical assistance where necessary. This information was also reported to the EOC where it was made available to agencies involved in the recovery effort. Additionally, DEQ's public information officers provided crucial information to the media and to the public concerning the status of Oklahoma City's and Moore's drinking water.

DEQ staff contacted personnel at the locations of all licensed radioactive sources that were potentially affected and determined that all were secure. Additionally, all of the facilities in the tornado path with reported hazardous chemical inventories were contacted, and it was documented that no releases of hazardous substances had occurred.

Debris removal was a monumental task for everyone involved. DEQ assisted impacted communities to ensure that local officials were familiar with proper procedures that are in accordance with FEMA guidelines. Information on debris management was made available on DEQ's website. Additionally, hard copies were provided to affected communities. DEQ also participated in a debris task force with the Oklahoma Department of Emergency Management and FEMA. The task force continues to meet.

As part of the effort to assist communities with debris removal, ECLS staff approved sites for temporary staging and for burning of woody debris. Additionally, DEQ personnel met with landfill management to clarify what types of debris could be received in landfills. DEQ waived the state solid waste fee to facilitate debris disposal and help affected communities with costs.

The Air Quality Division (AQD) assisted the Environmental Protection Agency (EPA) with strategic placement of air monitors. The division also provided daily assistance to EPA contractors to ensure continuous operation of the air monitors for approximately one month. An AQD web page displayed data collected from the air monitors to inform the public of possible exposure to particulate matter from the cleanup area.

In the aftermath of such monumental storms, it is vital to have city, state, federal and volunteer organizations working together to bring comfort and solutions to communities decimated by tragedy. DEQ's employees donated essential items, money and very importantly, time, to aid in the recovery. DEQ has been there since May 19<sup>th</sup> and will be there until recovery has been completed.

**2013:** More than 400 sites are evaluated and, if necessary, remediated since inception of the Voluntary Cleanup Program.

**2013:** DEQ successfully launches an online operator certification renewal process, which allows the operator to renew his/her annual license and print it at the end of the process.

**2013:** Environmental hazards are cleaned up at 39 National Guard Armories across the state as part of the Site Cleanup Assistance Program, since inception in 2006.

# Marvin Boatright

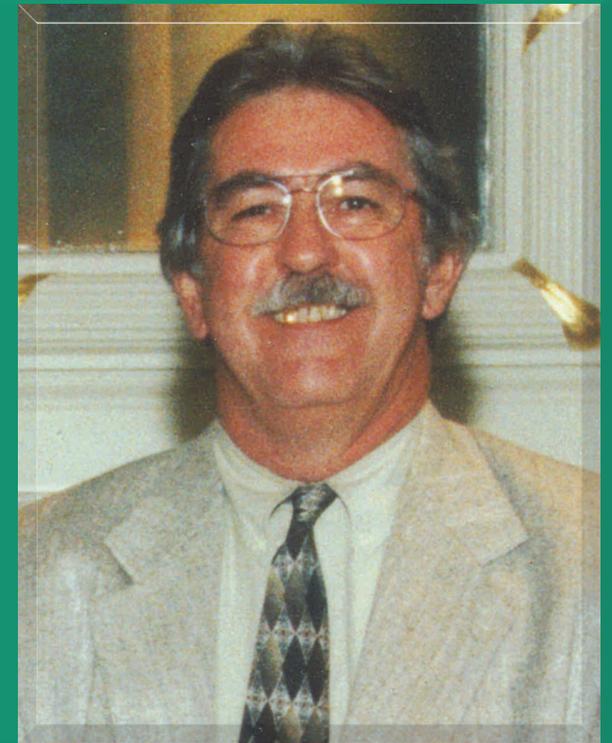
Marvin Boatright, a veteran land reclamation specialist in the Land Protection Division, lost his battle with cancer last spring.

Marvin began his career in public health as a Registered Professional Sanitarian with the Okmulgee County Health Department. In that era, sanitarians were responsible for inspecting facilities ranging from restaurants and barber shops to water systems. Advances were made not through legal enforcement processes but through direct education.

In 1993, when DEQ was created, Marvin was one of the original employees. Growing up in Henryetta, Marvin was keenly aware of the environmental scars left by previous generations. As DEQ grew as an agency and began to take on land remediation efforts,

Marvin became one of the leading experts and strongest advocates for restoration. He played major roles in the clean-up of the old Eagle Picher lead smelter in Henryetta and the abandoned oil refinery in Okmulgee. He was instrumental in many of DEQ's activities in the Tar Creek area, and he helped pioneer reclamation of oil field salt scars in some of the early-day oil production areas.

Marvin was especially creative in helping small towns remove blighted structures. Where the demolished materials were appropriate, he worked with communities and conservation districts to use the debris to help restore scarred land. His attention to the people that he served stimulated local collaborators to pursue projects that have improved the quality of life throughout the state, and engendered strong respect for DEQ.



## In Memoriam...



**2013:** The agency begins development of Air E-Permitting.



**2013:** The State Environmental Laboratory begins analytical support for Oklahoma Comprehensive Water Plan.



**2013:** 139 acres are cleaned up at sites across the state, under Land Protection Division programs.

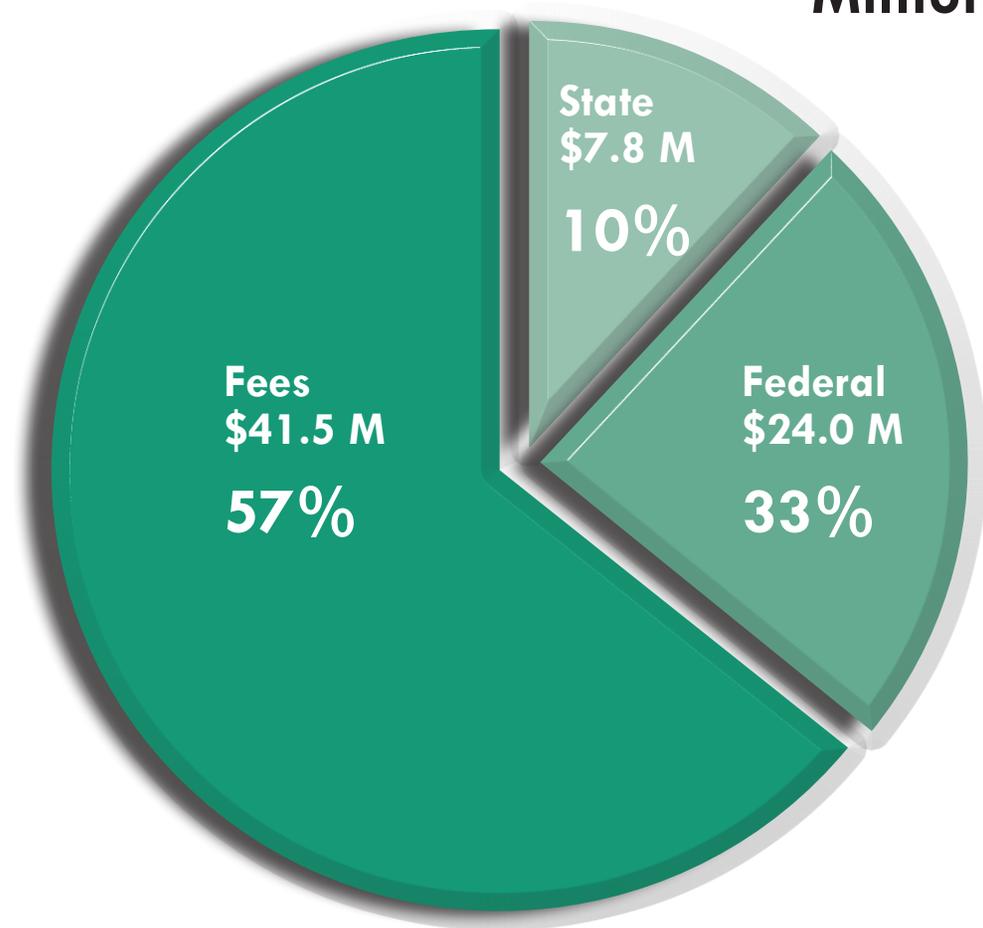


**2013:** DEQ starts using Twitter.

# Fiscal Year 2013 Total Agency Budget by Fund Source



**\$73.2  
Million**



## Administrative Services

Media Handling	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Press Releases	10	7	6	24	47
Responses to Media Inquiries	97	32	41	68	238
Interviews	87	27	33	60	207

<b>Public Information &amp; Publications</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Designs/Illustration & Graphics Produced	183	130	197	178	688
Brochures/Flyers Produced	9	9	11	8	37
Fact Sheets Produced	5	1	4	9	19
Publications/Reports Produced	2	1	6	9	18
Newsletters Produced	1	1	0	1	3
Web Applications/Pages Developed	0	0	0	2	2
<b>Information Dissemination &amp; Environmental Education</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Conference/Displays	1	4	4	3	12
Environmental Education packets/information distributed	56	187	60	45	199
Web Requests	4	2	1	2	9
<b>Environmental Education</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Adult/Community Education	1,200	2,000	345	3,200	6,745
K-12 Outreach	15	700	0	6,000	6,715
<b>Customer Assistance Program</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Speech Reports w/o Booths	27	32	36	44	139
Speech Reports w/ Booths	1	5	6	8	20
Ceremonies	6	2	1	3	12

<b>Customer Assistance Program (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Training	22	35	41	44	142
Booths	1	5	6	8	20
Attendees	4,404	3,228	2,873	13,523	24,028

## Air Quality

<b>Ambient Monitoring</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Continuous Monitoring Systems</b>	23	44	45	46	46
<b>Non-continuous Stations</b>	4	11	10	16	41
<b>Toxics Stations</b>	7	10	11	10	38
<b>Number of Air Samples Collected (continuously/hourly)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Ozone (in thousands)	32.5	31.7	30.3	33.7	128.2
Sulfur Oxides (in thousands)	15.0	12.9	13.3	15.0	56.2
Total Oxides of Nitrogen	6.5	6.4	6.4	8.2	27.5
Nitrogen Dioxide-NO <sub>2</sub> (in thousands)	6.5	6.4	6.4	8.2	27.5
Nitrogen Oxides-NO (in thousands)	6.5	6.4	6.4	8.2	27.5
Carbon Monoxide (in thousands)	4.4	4.3	4.2	4.3	17.2
Special Purpose (in thousands)	17.6	13.8	12.7	14.7	58.8

<b>Ambient Monitoring (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
PM-10 (in thousands)	1.9	0.3	2.1	2.2	6.5
PM-2.5 (in thousands)	18.8	19.1	17.8	17.4	73.1
<b>Number of Air Samples Collected (non-continuously/daily)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
PM-10	164	114	194	2307	2779
PM-2.5	316	325	344	286	1271
PM-Coarse	31	17	15	91	154
Toxics	304	270	247	294	1,115
Lead	25	23	24	23	95
<b>Compliance</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Number of days when ozone was within the 8-hour NAAQS	65 of 92	92 of 92	90 of 90	88	88
Number of total monitors demonstrating compliance (out of 47 total)	37	37	37	40	40
<b>Excess Emissions Report</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Excess Emissions Report	387	477	400	327	1,591
<b>Air Enforcement</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Notices of Violation	3	5	2	5	15
Formal Actions	6	7	7	8	28
Level III Violation Letters	3	10	5	6	24

<b>Air Enforcement (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Alternate Enforcement Letters	34	27	27	18	106
Asbestos Actions	0	0	0	0	0
Fines Paid (in thousands of dollars)	46.757	143.085	275.364	59.703	524.909
SEP Dollars (in thousands)	0	36.188	68.546	48.198	153
Total Number of SEPs	0	3	3	1	7
Reductions in Tons of Emissions from Enforcement Actions	7	3849.8	72	71	4000
Complaints Resolved within 90 Days	10	3	10	7	30
Complaints Unresolved, but still within 90 day deadline	6	2	3	1	12
Total Complaints	16	5	13	8	42
Total Facilities in significant Non-compliance	34	39	33	32	138
New Facilities in significant Non-compliance	4	4	3	2	13
<b>Emissions Inventory</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Billings</b>					
Companies with Major Facilities	126	0	2	0	128
Companies with Major and Minor Facilities	51	0	0	0	51
Companies with Minor Facilities	310	0	0	0	310
<b>Inventories Received</b>					
Companies	6	4	597	164	771

<b>Emissions Inventory (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Facilities	8	27	2,519	2,121	4,675
<b>Air Inspections</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Monitoring Inspections (from ECLS)	36	13	25	26	100
On-Site Compliance Evaluations	85	109	98	128	420
Off-Site Compliance Evaluations	916	1,011	1,034	1,132	4,093
Asbestos Inspections	93	88	48	55	284
Stack Tests Observed	10	6	5	10	31
Stack Tests Reviewed	259	329	274	310	1,172
<b>Lead-Based Paint</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Lead-Based Paint Certification</b>					
Inspector	0	0	0	7	7
Risk Assessor	7	1	1	74	83
Abatement Worker	7	2	0	28	37
Supervisor	0	3	1	58	62
Project Designer	0	0	0	3	3
Firm	1	3	0	69	73
<b>Lead-Based Paint Compliance Inspections</b>	<b>10</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>24</b>

<b>Lead-Based Paint (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Lead-Based Paint Enforcement Actions</b>	1	0	0	0	1
LBP Enforcement Actions resulting in LBP contractor returning to substantial compliance with program requirements	1	0	0	0	1
<b>Lead-Based Paint Outreach</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Events	1	0	1	1	3
Participants	8	0	45	30	83
<b>Permit Administration</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Air Quality Permitting</b>					
<b>Construction Applications/Permits Issued</b>					
Minor Received	256	295	242	519	1,312
Minor Issued	263	303	233	520	1,319
Major Received	7	6	9	7	29
Major Issued	3	6	8	5	22
PSD Received	3	0	1	1	5
PSD Issued	2	1	4	0	7
<b>Operating Applications/Permits Issued</b>					
Minor Received	329	337	272	424	1,362
Minor Issued	331	274	235	349	1,189

<b>Permit Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Major Received	23	42	35	28	128
Major Issued	34	30	33	26	123
PSD Received	0	0	0	0	0
PSD Issued	0	0	0	0	0
Title V Initials and Modifications Received	5	13	10	8	36
Title V Initials and Modifications Issued	8	8	11	4	31
Title V Renewals and Modifications Received	18	29	24	20	91
Title V Renewals and Modifications Issued	26	22	22	22	92
Acid Rain Received	0	0	1	0	1
Relocation Received	4	2	5	10	21
Relocation Issued	8	4	5	10	27
Applications Withdrawn	13	8	7	9	37
<b>Title V Initial and Renewal Modifications Issued - Total</b>	20	25	21	11	77
<b>Title V Initial and Renewal Modifications Issued - Significant</b>	14	2	3	1	20
<b>Applicability Determinations Received</b>	29	13	16	18	76
<b>Applicability Determinations Issued</b>	33	28	19	18	98
<b>Permits Denied</b>	0	0	0	0	0
<b>Total Applications Received</b>	651	695	581	1,006	2,933

<b>Permit Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Total Permits Issued</b>	674	645	533	928	2,780
<b>Minor Permit Status &gt; 90 Day Timeline</b>	24	25	76	103	228
<b>Tests Observed</b>	8	2	2	2	14
<b>Performance Inspections</b>	7	19	11	6	43
<b>Permit Protest Hearings</b>	0	0	0	0	0
<b>Number of PSD Modeling Analyses Conducted</b>	7	15	11	8	41
<b>Number of Title V Air Permits Passing Federal Review</b>	32	31	32	30	125
<b>Quality Assurance</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Audits</b>					
Continuous	42	42	33	43	160
Non-continuous	15	13	12	15	55
Interlab	5	5	3	6	19
<b>Data Validation</b>	309	305	310	318	1,242
<b>Standards Certified</b>	111	111	108	126	456
<b>Filter Checks</b>	85	176	119	126	506
<b>Precision Tests</b>	340	294	300	320	1,254

<b>Public Information and Education</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Clean Air Alerts</b>					
Oklahoma City	13	0	0	0	13
Tulsa	15	0	0	1	16
Lawton	4	0	0	0	4
Rural Oklahoma	0	0	0	0	0
<b>AQ Health Advisories</b>	<b>60</b>	<b>1</b>	<b>2</b>	<b>11</b>	<b>74</b>
<b>Environmental Education</b>					
<b>Events</b>					
Conference Presentations	1	1	0	2	4
Conference Displays	0	0	1	0	1
<b>Community-Wide Events</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>
<b>Education Presentations</b>					
K-12	0	1	2	0	3
University	0	0	4	2	6
Community/Adult	0	3	3	4	10
<b>Contacts</b>	<b>165</b>	<b>2,907</b>	<b>1,287</b>	<b>232</b>	<b>4,591</b>

# Environmental Complaints & Local Services

Complaint Statistics	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
<b>Total Spills/Complaints Received</b>	809	618	804	978	3,209
Spills/Complaints Referred to Other Agencies	41	15	40	69	165
EPA	4	1	1	1	7
Corp of Engineers	2	0	1	1	4
Used Motor Vehicle Commission	0	0	0	0	0
Dept. of Agriculture, Food, & Forestry	7	0	6	6	19
County Sheriff's Office	0	0	0	0	0
City/Town	0	0	0	1	1
Dept. of Mines	0	2	0	0	2
Corporation Commission	25	10	26	47	108
Native American	2	2	2	12	18
Dept. of Wildlife Conservation	0	0	0	0	0
Dept. of Health	0	0	1	1	2
Dept. of Transportation	0	0	0	0	0
Dept. of Labor	0	0	0	0	0
Liquefied Petroleum & Gas Board	1	0	0	0	1
Dept. of Public Safety	0	0	0	0	0

<b>Complaint Statistics (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Conservation Commission	0	0	0	0	0
Oklahoma Water Resources Board	0	0	0	0	0
<b>Total DEQ Spills/Complaints Received</b>	<b>768</b>	<b>603</b>	<b>764</b>	<b>909</b>	<b>3,044</b>
<b>Spills Received</b>	<b>114</b>	<b>65</b>	<b>65</b>	<b>101</b>	<b>345</b>
Water Quality Division	5	8	6	10	29
Air Quality Division	37	15	10	20	82
Land Protection Division - Solid Waste	69	42	44	64	219
Land Protection Division - Hazardous Waste	3	0	5	7	15
<b>Complaints Received</b>	<b>654</b>	<b>538</b>	<b>699</b>	<b>808</b>	<b>2,699</b>
Publicly-Owned Wastewater Facility & Lines	41	24	57	66	188
Private Wastewater Service Lines	68	60	72	90	290
Public Water Supply	70	31	30	40	171
Fish Kills	13	0	3	14	30
Unpermitted Discharge - Unknown Source	3	6	1	9	19
Unpermitted Discharge - Known Source	12	6	17	27	62
Industrial Stormwater	4	5	7	6	22
Industrial Wastewater Treatment	7	1	7	2	17
Fugitive Dust	30	30	8	14	82

<b>Complaint Statistics (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Fugitive Dust - fly ash	0	0	0	1	1
Fugitive Dust - grain processors/cotton gin	1	1	1	0	3
Fugitive Dust - sandblasting	3	1	4	3	11
Air Facilities Emissions	14	9	11	2	36
Odors	21	10	15	10	56
NESHAP Violations	6	6	7	4	23
Lead-Based Paint	0	0	0	1	1
Solid Waste Landfill Operation	2	1	0	1	4
Solid Waste Unpermitted Discharges	1	2	0	0	3
Tires	11	4	6	6	27
Hazardous Waste Facility Operation	1	3	3	6	13
Hazardous Waste Improper Disposal	4	11	3	6	24
Radiation	1	1	5	5	12
Underground Injection Control	0	0	0	0	0
Total Retention Lagoon - lagoon	5	4	6	11	26
Total Retention Lagoon - collection	0	0	4	0	4
Total Retention Lagoon - land application	0	0	1	1	2
On-site Sewage	112	102	141	179	534

<b>Complaint Statistics (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Improperly installed on-site sewage system (certified installation)	3	2	3	1	9
Improperly installed on-site sewage system (non-certified installation)	7	15	17	12	51
Aerobic system maintenance (system installed 2 years or less)	2	0	1	1	4
Malfunctioning aerobic system	21	26	24	48	119
Private Water Supply	2	3	2	2	9
Open Burning	35	60	73	66	234
Open Burning - brush	1	5	5	2	13
Open Burning - burn household waste (trash service not available)	0	0	1	0	1
Unpermitted Disposal of Solid Waste	89	54	92	88	323
Unpermitted Disposal of Liquid Waste	32	30	33	31	126
Open Dumping - construction/demolition debris	7	4	4	10	25
Septage Pumpers & Haulers	4	4	6	7	21
Construction Stormwater	2	4	4	6	16
Construction Stormwater - discharge off site	19	8	19	28	74
Open Burning Copper Wire	0	3	5	1	9
Minor Water	0	1	0	0	1
<b>Emergency Response</b>	4	1	0	0	5

<b>Complaint Responsiveness</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Complaints Requiring Response	457	335	395	501	1,688
Met 2 Working Day Response	60%	79%	75%	75%	72%

<b>Inspections - FY 2013</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
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**Air Inspections**

Monitoring Inspections	60	43	57	64	224
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<b>Waste Management</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
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**Solid Waste Inspections**

Monitoring Inspections	60	43	57	64	224
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<b>Water Quality</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
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**Public Water Supply**

Monitoring Inspections	697	546	546	849	2,638
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Minor Water Systems	48	95	78	129	350
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**Municipal Wastewater**

Monitoring Inspections	244	209	242	264	959
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**Total Retention Lagoons**

Monitoring Inspections	93	67	82	272	514
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<b>Water Quality Inspections (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Industrial Wastewater</b>					
Monitoring Inspections	93	67	82	272	514
<b>Stormwater</b>					
NOT Inspections	218	342	84	199	843
Active Permit Inspections	31	5	189	7	232
No Exposure Inspections	10	1	4	34	49
<b>Septage Pumpers</b>					
Inspections	3	0	149	34	186
					6,268
<b>Enforcement Administration</b>					
	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Enforcement Actions - Unpermitted Activities</b>					
<b>Notices of Violation</b>					
Open Burning	1	1	3	1	6
Open Dumping	1	1	2	3	7
Fugitive Dust	2	0	1	0	3
Surfacing Sewage	4	2	4	2	12
Minor Water System	0	0	0	0	0
Certified Installers	1	1	2	3	7

<b>Enforcement Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Non-Certified Installers	2	2	1	2	7
Septage Pumpers/Haulers	0	0	2	0	2
Total Retention Lagoons	2	0	0	4	6
Highway Spill Remediation	0	0	0	0	0
Certified Soil Profilers	0	1	1	0	2
<b>Formal Actions</b>					
Open Burning	0	0	2	1	3
Open Dumping	9	11	9	10	39
Fugitive Dust	0	2	3	1	6
Surfacing Sewage	7	15	19	30	71
Certified Installers	0	1	1	2	4
Non-Certified Installers	3	1	2	4	10
Septage Pumpers/Haulers	0	0	0	0	0
Total Retention Lagoons	7	8	8	5	28
Highway Spill Remediation	0	0	0	0	0
Certified Soil Profilers	0	0	0	0	0
<b>Fines Paid</b>					
Open Burning	\$0	\$0	\$2,000	\$0	\$2,000

<b>Enforcement Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Fugitive Dust	\$0	\$1,000	\$0	\$500	\$1,500
Surfacing Sewage	\$0	\$950	\$900	\$0	\$1,850
Certified Installers	\$0	\$0	\$1,000	\$0	\$1,000
Non-Certified Installers	\$0	\$700	\$400	\$150	\$1,250
Septage Pumpers/Haulers	\$202	\$0	\$0	\$0.00	\$202
Total Retention Lagoons	\$1,183	\$0	\$1,500	\$5,000	\$7,683
Certified Soil Profilers	\$0	\$500	\$0	\$0	\$500
Highway Spill Remediation	\$0	\$0	\$5,000	\$0	\$5,000
<b>Total</b>	<b>\$1,385</b>	<b>\$3,317</b>	<b>\$12,000</b>	<b>\$6,650</b>	<b>\$23,352</b>
<b>Permit Administration</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>ECLS Requested Services</b>					
<b>Private Sewage</b>					
Soil Tests	226	256	228	260	970
Existing System Inspections	40	17	25	19	101
Authorizations Issued	1,454	1,397	1,306	1,526	5,683
Alternative System Permits Issued	9	11	17	9	46
<b>Septage Pumpers and Haulers</b>					
Septage Pumper Licenses Issued	4	2	130	89	225

<b>Permit Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Storm Water-Construction</b>					
Authorizations Issued	231	264	337	278	1,110
Authorizations Terminated	111	51	82	41	285
<b>Storm Water-Industrial</b>					
Authorizations Issued	135	152	71	46	404
Authorizations Terminated	5	3	2	14	24
<b>Individual Water Well Evaluation</b>					
	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>ECLS Requested Services</b>					
<b>Private Water</b>					
Water Well Inspections	1	2	2	4	9
<b>Wellhead Protection Program</b>					
	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Contingency Plan Developed	0	0	0	5	5
Well Integrity Established	0	0	0	6	6
Public Awareness Program Implemented	0	0	0	4	4
Implementation Complete	0	1	2	1	4
Interested in bill inserts	0	0	4	0	4

<b>Wellhead Protection Program</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Provided	0	0	425	0	425
Interested in a presentation	0	0	4	0	4
Provided	0	0	0	0	0
Number of Complaints/Spills on Soil	0	0	0	0	0
Number of Complaints/Spills in Delineation Area	0	0	0	0	0
Plan Review	0	24	31	26	81
Wellhead Protection Plan Review	0	0	4	0	4
<b>Technical Assistance</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Air Quality	0	5	2	5	12
Wellhead Protection	0	0	0	0	0
Hazardous Waste	6	5	4	5	20
Industrial Wastewater	1	2	3	5	11
Solid Waste	7	6	7	5	25
Onsite Sewage	74	68	70	71	283
Private Water	13	6	12	6	37
Promote Soil Profile	27	24	23	21	95
Public Water Supply	40	30	37	37	144
Stormwater	3	6	2	5	16

<b>Technical Assistance</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Tires	0	0	0	0	0
Total Retention Lagoon	18	36	30	32	116
Water Pollution Control	22	15	11	22	70
Septage Hauler and Transporter	1	7	0	3	11
<b>TOTAL</b>	<b>211</b>	<b>203</b>	<b>201</b>	<b>217</b>	<b>832</b>
<b>On-Site System Installer Certification</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Renewal Training Attendees</b>	23	170	26	0	219
<b>New Certification Examinations</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Sub-surface Examinations	2	5	1	6	14
Lagoon Examinations	1	0	0	0	1
Aerobic Spray Examinations	5	0	4	3	12
Aerobic Drip Examinations	1	0	0	1	2
Low Pressure Dosing Examinations	0	0	0	0	0
<b>Soil Profiler Certification</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Renewal Training Attendees	5	84	1	14	104
New Certifications	3	1	0	21	25

# Land Protection

<b>Council/Rulemaking Meetings</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
HWMAC Meetings/Rulemaking Hearings	0	0	0	1	1
RMAC Meetings/Rulemaking Hearings	0	1	0	0	1
SWMAC Meetings/Rulemaking Hearings	1	0	1	0	2
<b>Total</b>					<b>4</b>
<b>Permit Administration</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Public Meetings for Permitting</b>	0	1	2	0	3
<b>Hazardous Waste</b>					
Permit application/plans received	50	59	66	50	225
Permit applications/plans approved	76	56	56	50	238
Permit Protest Hearings	0	0	0	0	0
Number approved within timelines	76	56	56	50	238
Corrective action workplans & cleanup plans approved	14	23	13	10	60
<b>Radiation</b>					
License applications/amendments received	71	87	85	73	316
License applications/amendments issued	108	85	118	95	406
Number issued within timelines	108	85	118	95	406

<b>Permit Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Solid Waste</b>					
Permit applications/plans received	78	104	123	118	423
Permit application/plans approved	73	89	122	116	400
Permit Protest Hearings	0	0	0	0	0
Number approved within timelines	73	89	122	116	400
<b>Underground Injection Control</b>					
Permit applications/plans received	6	6	4	5	21
Permit application/plans approved	6	5	5	5	21
Permit Protest Hearings	0	0	0	0	0
Number approved within timelines	6	5	5	5	21
<b>% Permits/Licenses Approved Within Timelines</b>					<b>100%</b>
<b>Citizen &amp; Local Government Outreach</b>					
	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Citizen Outreach - Mercury</b>					
Number of households from which mercury was collected for recycling	11	8	5	7	31
<b>Citizen Outreach - Radon</b>					
Number of citizens who requested radon test kits for their homes					142
Number of entries reviewed for the national Radon Poster Contest					110

<b>Citizen &amp; Local Government Outreach (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Citizens Outreach - Radiation Surveys</b>					
Number of radiation surveys performed	14	9	18	13	54
<b>Citizen Outreach - Industrial Radiography</b>					
Number of industrial radiography exams held	1	2	2	2	7
Number of individuals taking industrial radiography exams	36	75	92	81	284
<b>Local Government Outreach</b>					
Number of local governments assisted with trash dump cleanup and improved recycling programs	1	1	1	1	4
Number of National Guard armories remediated & available for reuse	5	2	1	2	10
Number of communities & non-profits assisted with Brownfield funding	20	18	16	16	70
Dollar amount of solid waste fees reinvested in local projects					\$415,329
<b>Land Restoration</b>					
	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Number of preliminary assessments and site inspections completed	2	1	1	2	6
Number of active NPL sites					13
Number of NPL sites in state-lead operations and maintenance					5
Number of removals conducted by DEQ					0
Number of removals conducted by EPA with DEQ assistance					0
Number of DOD facilities going through the CERCLA process					25

Land Restoration (continued)	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
<b>Voluntary Cleanup Program</b>					
Number of contaminated sites in the VCP	99	98	95	97	Not Cumulative
Number of contaminated sites cleaned up under the VCP	2	1	5	1	9
<b>Governmental Entities</b>					
Number of governmental entities assisted with restoration of damaged lands	4	7	4	4	19
<b>Waste Tires</b>					
Number of community-wide collection events held	21	18	29	48	116
Number of waste tires diverted from illegal dumping through community-wide collection events	16,768	37,185	30,272	58,106	142,331
Number of illegal tire dumps remediated	3	2	12	8	25
Number of waste tires removed from illegal dumps	11,157	43,771	26,334	5,214	86,476
Total number of acres of land for which remediation was completed at the most contaminated sites under the Brownfields, DOD, Superfund, & VCP programs					182.9
Amount of chat from the Tar Creek Superfund Site marketed (tons)	0.00	0.00	0.00	0.00	0.00
Amount of chat from the Tar Creek Superfund Site disposed (tons)	41,344.00	152,956.82	27.63	0.00	194,328.45

<b>Complaints</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Complaints</b>					
Number of complaints referred to LPD	9	8	14	16	47
Number of LPD complaints resolved < 90 days or approved extension	9	8	14	16	47
<b>% Complaints Resolved Within 90 Days or Approved Extension</b>	0	0	0	16	100%
<b>Enforcement Administration</b>					
<b>Hazardous Waste</b>					
Number of Notices to Comply issued	8	5	5	4	22
Number of Notices of Violation issued	0	4	1	2	7
Number of Orders issued	2	2	0	1	5
Number of facilities in significant non-compliance	1	0	1	1	3
Dollar amount of fines paid	\$143,000	\$0	\$0	\$5,000	\$148,000
Number of Supplemental Environmental Projects	0	0	0	0	0
Dollar amount of Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
<b>Radiation</b>					
Number of Notices of Violation Issued	7	16	6	30	59
Number of Orders issued	0	0	0	0	0
Dollar amount of fines paid	\$0	\$0	\$0	\$0	\$0

<b>Enforcement Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Number of Supplemental Environmental Projects	0	0	0	0	0
Dollar amount of Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
<b>Solid Waste</b>					
Number of Notices of Violation issued	2	1	0	4	7
Number of Orders issued	2	1	0	0	3
Dollar amount of fines paid	\$0	\$0	\$0	\$0	\$0
Number of Supplemental Environmental Projects	0	0	0	0	0
Dollar amount of Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
<b>Underground Injection Control</b>					
Number of Notices of Violation issued	7	16	6	30	59
Number of Orders issued	0	0	0	0	0
Dollar amount of fines paid	\$0	\$0	\$0	\$0	\$0
Dollar amount of Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
<b>Waste Tires</b>					
Number of Notices of Violation issued	2	0	0	1	3
Number of Orders issued	0	0	0	0	0
Dollar amount of fines paid	\$0	\$0	\$0	\$0	\$0
Number of Supplemental Environmental Projects	0	0	0	0	0

<b>Enforcement Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Dollar amount of Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
<b>Non-hazardous Industrial Waste</b>					
Number of NHIW certifications reviewed	247	155	89	83	574
<b>Total Enforcement Actions</b>					85
<b>Total Fines</b>					\$148,000
<b>Total SEPs</b>					0
<b>Total SEP \$</b>					\$0
<b>Number of Supplemental Environmental Projects</b>	0	0	0	0	0
<b>Inspection Programs</b>					
	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Hazardous Waste</b>					
Number of inspections at Oklahoma hazardous waste generator, transporter, & non-commercial disposal facilities	30	31	31	31	123
Number of hazardous waste inspections at Oklahoma military facilities	1	1	1	3	6
Number of inspections at Oklahoma commercial hazardous waste disposal facilities	0	0	2	5	7
Number of CME/OAM evaluations at hazardous waste disposal facilities	0	2	0	4	6
<b>Radiation</b>					
Number of inspections at Oklahoma licensees	23	25	37	27	112

<b>Inspection Programs (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Solid Waste</b>					
Number of inspections at Oklahoma solid waste disposal facilities	92	113	132	95	432
<b>Underground Injection Control</b>					
Number of inspections at Oklahoma UIC wells	0	5	0	5	10
<b>Waste Tires</b>					
Number of inspections at Oklahoma waste tire processors	18	19	18	18	73
Number of inspections of tire dealers and motor license agents	11	23	12	0	46
<b>Total number of inspections performed</b>					<b>815</b>
<b>Waste Reduction &amp; Sustainability</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Pollution Prevention</b>					
Number of customer assistance events (workshops, seminars, webinars, etc.)	2	1	1	1	5
Number of individuals/organizations receiving waste reduction/P2 training	10	20	10	20	60
Number of P2 assistance tools developed & disseminated	35	25	40	35	135
Number of site assistance visits	17	20	16	9	62
Number of P2 contacts via telephone/email	30	20	25	30	105
Number of business sectors targeted for P2 outreach	3	3	3	3	12
<b>Sustainability</b>					
Number of recycling/sustainability projects ongoing					0

<b>Waste Reduction &amp; Sustainability (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Number of recycling/sustainability public presentations or exhibits (teachers/students, communities, groups, churches, etc. )	4	6	2	2	14
Number of recycling/sustainability publications/articles (new, updated, edited)					50
<b>Recycling Information</b>					
Number of recycling exhibits prepared	3	2	3	2	10
Number of public recycling presentations	19	7	2	5	33
Number of recycling presentations to schools	11	5	5	11	32
Total number of DEQ recycling publications					0
Number of DEQ recycling publications developed	1	0	0	0	1
Number of DEQ recycling publications distributed	189	201	310	190	890
Number of recycling training events given	8	8	3	6	25
Total number of recycling markets identified in Oklahoma					0
Number of new recycling markets in Oklahoma identified	3	1	2	2	8
Number of waste audits performed	2	1	1	3	7
<b>Special Recognition</b>					
Number of new businesses in the Oklahoma Star/ECO Programs	19	12	12	12	55
Total number of businesses in the OKlahoma Star/ECO Programs					100

<b>Sara Title III</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Community Right to Know (EPCRA)</b>					
Tier 2 Reports Filed	1,216	857	47,229	1057	50,359
<b>Toxic Release Reports Filed</b>	1,269	0	0	0	1,269
Industry Request for Guidance	132	148	4,028	1825	6,133
CAMEO/Submit Instruction/Presentations	21	5	19	10	55
LEPC Meetings Attended	11	9	11	11	42
TRI Inspections Attended	0	0	3	3	6

## State Environmental Laboratory Services

<b>SELS Laboratory Operations</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Laboratory Tests Performed</b>					
Public Water Systems	7,845	14,644	18,828	10,983	52,300
Private Citizens	1,590	2,968	3,816	2,226	10,600
DEQ Project Support	975	1,820	2,340	1,365	6,500
OWRB	3,765	7,028	9,036	5,271	25,100
Other	200	127	241	109	677
<b>Total</b>					<b>95,177</b>
<b>Program Support and Maintenance</b>					
QAP Update	0	1	0	0	1

<b>SELS Laboratory Operations (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Primacy</b>					
New Instruments to Support New Methods	0	0	0	1	1
New Equipment to Support New Methods	1	0	0	1	2
Replacement Instruments	1	0	0	0	1
Replacement Equipment	0	1	0	0	1
New Methods Implemented	1	0	1	1	3
Proficiency Tests	42	18	13	40	113
Audits	3	9	3	2	17
Process Improvements	5	4	1	2	12
<b>Non-Primacy</b>					
New Instruments to Support New Methods	0	0	0	0	0
New Equipment to Support New Methods	0	0	0	1	1
Replacement Instruments	0	0	0	0	0
Replacement Equipment	0	0	0	0	0
New Methods Implemented	0	0	0	0	0
Proficiency Tests	52	53	57	0	162
Audits	2	2	3	2	9

<b>SELS Laboratory Operations (continued)</b>									
	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total				
Process Improvements	1	1	11	2	15				
<b>SELS Meetings and Training</b>									
<b>Professional Meetings/Conferences</b>									
Primacy	1	7	1	2	11				
Non-Primacy	1	2	1	3	7				
<b>Training</b>									
<b>Primacy</b>									
Technical Training Events	78	13	16	19	126				
Ethics Training Events	2	0	53	15	60				
<b>Non-Primacy</b>									
Technical Training Events	6	2	14	11	33				
Developmental Training Events	21	19	13	11	64				
<b>SELS Special Operations</b>									
<b>Emergency Response</b>									
<b>Primacy</b>									
Field Events	23	3	8	2	36				
Laboratory Tests	85	2	16	490	593				

<b>SELS Special Operations (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Technical Assistance Events	67	15	3	74	159
Exercises	0	3	0	0	3
<b>Non-Primacy</b>					
Field Events	3	1	2	5	11
Laboratory Tests	4	4	4	5	17
Technical Assistance Events	2	23	5	115	145
Exercises	0	0	0	0	0
<b>Complaints</b>					
Field Events	4	2	2	3	11
Laboratory Tests	578	236	355	635	1,804
Technical Assistance Events	3	4	4	3	14
<b>Enforcement Assistance</b>					
Field Events	0	0	0	0	0
Laboratory Tests	0	0	0	0	0
Technical Assistance Events	0	0	0	0	0

<b>SELS Customer Support</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Laboratory Customer Support</b>					
<b>Technical Assistance Events</b>					
Public Water Systems	1,080	2,016	2,592	1,512	7,200
Small Community	702	1,411	1,944	983	5,040
Large Community	378	605	648	529	2,160
Private Citizens	576	1,076	1,382	806	3,840
DEQ Project Support	144	269	345	202	960
OWRB	18	34	43	25	120
Other	21	31	35	33	120
<b>Project Sampling Kits Provided</b>					
Public Water Systems	1,579	2,947	3,789	2,210	10,525
Small Community	1,026	2,063	2,652	1,547	7,288
Large Community	553	884	1,137	663	3,237
Private Citizens	589	1,099	1,413	824	3,925
DEQ Project Support	41	76	98	57	272
OWRB	44	83	106	62	295
Other	4	3	4	6	17

<b>SELS Customer Support (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Targeted Outreach</b>					
Primacy	2	3	2	2	9
Non-Primacy	1	1	4	1	7
<b>QAPP Support</b>					
QAPP Reviews	1	1	0	0	2
Project Planning Meetings	1	3	1	1	6
<b>Fish Consumption Advisories Evaluated</b>					
Non-Primacy	1	1	4	1	7
<b>SELS Laboratory Certification/LSAC Meetings</b>					
<b>Laboratory Certification</b>					
New Applications Received	2	0	2	5	9
Facility Inspections	6	3	7	6	22
Certificates Issued	138	0	1	1	140
Laboratory Services Accreditation Council Meetings	0	1	0	1	2

# Water Quality Division

<b>TMDL Development</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
TMDLs Started	77	3	2	2	84
TMDLs Completed	121	0	0	0	121
<b>Data Management</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Ground Water</b>					
Sites With GPS Correction	57	47	29	122	255
<b>Enforcement Administration</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Public Water Supply</b>					
Boil Advisories	2	1	0	4	7
Notices of Violation	48	84	133	89	354
Consent / Final Orders	8	2	9	6	25
Fines Paid	\$875	\$8,525	12,128	\$13,061.01	\$34,589.01
<b>Municipal Wastewater</b>					
Notices of Violation	15	16	12	16	59
Consent / Final Orders	16	16	15	13	60
Fines Paid	\$53,623.38	\$21,753.73	\$33,395.91	\$32,448.10	\$141,221.12
<b>Industrial Wastewater</b>					
Notices of Violation	4	6	2	3	15

<b>Enforcement Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
Consent / Final Orders	4	2	3	0	9
Fines Paid	\$30,049.00	\$14,570.37	\$12,150	\$7,000	\$63,769.37
Supplemental Environmental Projects	0	0	\$0	0	0
TOTAL number of SEPs	0	0	0	0	0

### Storm Water

Notices of Violation	4	3	0	3	10
Consent / Final Orders	1	1	2	2	6
Fines Paid	\$3,000.00	0	\$5,000	\$4,375	\$12,375

### Inspections

	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Public Water Supply</b>					
Monitoring Inspections (from ECLS)	697	546	546	849	2,638

### Municipal Wastewater

Monitoring Inspections (from ECLS)	244	209	242	264	959
Pretreatment Compliance	0	1	9	11	21
Pretreatment Audits	0	0	3	3	6
Compliance Evaluation Inspections	4	17	33	15	69
Compliance Sampling Inspections	0	0	0	0	0

<b>Inspection (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Industrial Wastewater</b>					
Monitoring Inspections (from ECLS)	93	67	82	272	514
Compliance Evaluation Inspections	16	7	8	1	32
Compliance Sampling Inspections	0	0	0	1	1
<b>Storm Water</b>					
Compliance/TA Inspections	96	93	49	89	327
NOT Inspections (from ECLS)	218	342	84	199	843
Active Permit Inspections (from ECLS)	31	5	189	7	232
No Exposure Inspections (from ECLS)	10	1	4	34	49
<b>Operator Certification</b>					
<b>Operator Training and Certification</b>					
Approved Training Hours	3,190	2,218	2,042	2,597	10,047
<b>New Certified Examinations</b>					
Water Operator	199	216	175	217	807
Wastewater Operator	153	230	183	145	711
Water Laboratory Operator	39	47	46	28	160
Wastewater Laboratory Operator	31	36	32	22	121
<b>Total</b>					<b>1,799</b>

<b>Permit Administration</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Water Quality Permitting</b>					
<b>Construction Applications/Permits Issued</b>					
Public Water Supply Received	266	157	166	162	751
Public Water Supply Issued	126	194	206	155	681
Water Well Received	10	7	11	11	39
Water Well Issued	5	6	11	11	33
Municipal Wastewater Received	79	83	110	84	356
Municipal Wastewater Issued	76	81	97	94	348
<b>Municipal Wastewater Applications/Permits Issued</b>					
Discharge Applications Received	18	11	24	14	67
Discharge Permits Issued	10	21	12	14	57
<b>Industrial Wastewater Applications/ Individual Permits Issued</b>					
Applications Received	231	264	337	278	1,110
Permits Issued	135	152	71	46	404
<b>Stormwater</b>					
Municipal Wastewater Issued	17	83	29	3	132
Multi-Sector Industrial Authorization Processed (from ECLS)	9	5	40	55	109

<b>Permit Administration (continued)</b>	<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>	<b>Total</b>
<b>Other Industrial General Permits</b>					
Applications Received	4	0	1	0	5
Authorizations Issued	13	0	0	0	13
<b>Sludge Management Applications/Plans Approved</b>					
Applications Received	1	6	1	1	9
Plans Approved	0	4	2	2	8
<b>Total Permits Issuance &gt; Timelines</b>	<b>10</b>	<b>15</b>	<b>13</b>	<b>9</b>	<b>47</b>
<b>Total Permit Protest Hearings</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

# DEPARTMENT OF ENVIRONMENTAL QUALITY

## ANNUAL ENVIRONMENTAL QUALITY REPORT

*For consideration by the Environmental Quality Board on November 7, 2012  
For submittal to the Governor and Legislature on or before January 1, 2013*

The Department of Environmental Quality (DEQ) is required by statute annually to submit an “Environmental Quality Report” to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives. It is to outline DEQ’s annual needs for providing the environmental services within its jurisdictional areas, any new federal mandates, and state statutory or constitutional changes recommended by DEQ. The Report must be reviewed and approved by the Environmental Quality Board prior to its submittal to the Governor and Legislature.

## I. ANNUAL NEEDS<sup>1</sup>

### GENERAL (BASELINE) APPROPRIATION REQUEST

For state Fiscal Year (FY) 2014, which begins July 1, 2013, DEQ is requesting a baseline state general-revenue appropriation of \$7,557,973 to address ongoing costs. This is the same as DEQ’s general appropriation for current FY 2013,<sup>2</sup> and also the same as what it received in FY 2012.<sup>3</sup> Of course, there will be legally mandated cost increases to DEQ and other state agencies for employer insurance contributions in FY 2014, a fact that DEQ and other agencies will again bring to the attention of their respective appropriation subcommittees.

### ADDITIONAL SPECIFIC APPROPRIATION REQUEST

In addition to its baseline request, DEQ is requesting that the Legislature and Governor consider additional funding for the Public Water Supply (PWS) program. Two years ago, DEQ anticipated a

shortfall and prepared a fee case for the Water Quality Management Advisory Council (WQMAC) for the PWS program. Those fees were recommended to the Environmental Quality Board (EQB). However, between the WQMAC meeting and the EQB meeting, legislative leadership informed DEQ that the proposed fees would not be moving forward. Therefore, DEQ asked the EQB to take no action on the PWS fee increase at its February 2011 meeting. General revenue funding has been cut by the Legislature over the last several years, federal grant dollars are stagnant in the Public Water Supply Supervision Grant and decreasing in the Drinking Water State Revolving Fund Grant, and the current fees are insufficient to support the PWS program.

In 2011, DEQ created a workgroup of PWS facilities nominated by the Oklahoma Municipal League (OML), Oklahoma Rural Water Association (ORWA), EQB, WQMAC and DEQ staff. This workgroup proposed fees that were presented to the WQMAC in January 2012 and EQB in February 2012. Although the WQMAC recommended the rules and the EQB approved the rules, the Legislature did not act to affirmatively approve those fee rules.

In response to the funding shortfall and a request made by OML, Governor Fallin directed the Secretary of Environment to convene and chair a workgroup to evaluate the funding of the PWS program and to make recommendations. EPA gave Oklahoma until the end of September 2012 to provide letters of support from the regulated community and state officials and a plan to fund necessary PWS program improvements and primacy assumption of the Ground Water

<sup>1</sup> Because requests for state appropriations are due by October 1, the appropriation request information in this portion of the Environmental Quality Report was previously considered and approved by the Environmental Quality Board at its August 21, 2012, meeting.

<sup>2</sup> DEQ received a one-time special appropriation for FY 2013 of \$200,000.

<sup>3</sup> The figure of \$7,557,973 is about \$2,200,000 less than the agency received as recently as FY 2009.

Rule, Long-term 2 Enhanced Surface Water Treatment Rule, and the Stage 2 Disinfection By-products Rule.

DEQ has administered the Safe Drinking Water Act in Oklahoma for many years. However, as funding has decreased, DEQ has not sought primacy from EPA to administer the three above-referenced recent rules (Stage 2 Disinfection By-products Rule, Ground Water Rule, and the Long-term 2 Enhanced Surface Water Treatment Rule). This means that PWS systems in Oklahoma are now regulated partially by EPA and partially by DEQ. Systems are experiencing confusion and frustration because they are calling DEQ to determine what they need to do, seeking extensions, etc. All DEQ can do is refer the systems to EPA, which has not been flexible in its administration of the rules. Additionally, EPA notified DEQ that it has accelerated the required sampling and compliance dates for the systems in Oklahoma. Although DEQ does not agree with EPA's approach, EPA is the primary authority and can make those decisions. DEQ would like to administer these programs to allow a more flexible approach to obtaining compliance. However, without additional funding, DEQ cannot.

Finally, DEQ has made cuts in the PWS staff and program operations due to the decreased funding. Technical assistance activities, training and outreach have been scaled back significantly. Although DEQ believes that these are important activities, they are not mandated activities for states because EPA assumes systems will immediately be in compliance with new rules. At the current level of funding, DEQ has had no choice but to reduce the services that are provided to the regulated community.

In the most recent PWS program review conducted in the spring of 2012, EPA identified several deficiencies in DEQ's current PWS program. EPA has indicated that failure to correct deficiencies in the current program and failure to submit primacy applications for the three remaining rules would lead EPA to revoke DEQ's existing primacy. This would move authority for the PWS program from DEQ to EPA and

would include the Drinking Water State Revolving Fund, which currently provides grants and low interest loans for public entities to address drinking water infrastructure needs.

Based on the need to continue to properly operate this core agency program in order to protect public health, DEQ will request a total of **\$2,200,000** in additional general revenue funding.

### FY14 Budget Request

PROGRAM	GR INCREASE NEEDED
Public Water Supply	\$2,200,00
<b>TOTAL</b>	<b>\$2,200,000</b>

## II. FEDERAL MANDATES<sup>4</sup>

### AIR QUALITY DIVISION (AQD)

*Ozone National Ambient Air Quality Standard*

On September 2, 2011, the President announced that he had asked EPA to withdraw its draft revision of the 0.075 ppm ozone standard. The 0.075 standard was originally proposed in 2008 but never officially implemented. Shortly after the President's announcement, EPA proposed to begin the implementation process for the 0.075 standard. While the implementation guidelines have not yet been published, it was announced that monitored data from the period 2008-2010 would be considered for attainment purposes, with 2011 data to be submitted at the discretion of the state. DEQ recommended to the Governor and she recommended to EPA that the entire state be declared attainment. This recommendation was accepted by EPA in a letter from the Region 6 administrator dated December 9, 2011.

<sup>4</sup> The list of federal mandates is not exhaustive, but covers mandates that are among the most significant to or demanding of the state and DEQ.

The Sierra Club has petitioned EPA to reconsider its decision to designate based on the 2008-2010 data and has also notified EPA that it will ask for a judicial review of that decision. The Sierra Club believes the designations should be based on the latest three years of data. An unfavorable decision could lead to EPA's moving forward with designations of the state's areas of violation.

EPA has also implemented what they are calling Ozone Advance, which is a collaborative effort by EPA, state and local governments and tribes to encourage emission reductions in ozone attainment areas in order to meet the 2008 standard. This program, like similar programs in the past, is voluntary. Oklahoma City and Tulsa have opted into the program.

This past summer has been another difficult one relative to ozone values. Unfortunately, Tulsa is in danger of passing Houston, Texas, as the second leading area in Region 6 with respect to exceedances of the 8-hour standard. Given the past two years of ozone data, attainment will be extremely challenging in the foreseeable future. A similar ozone season in 2013 will likely jeopardize the attainment status of all monitors, urban and rural, across the state.

Beginning in late 2012 and continuing into 2013, AQD will undertake a study of the impact increased exploration and production of oil and natural gas is having on the ozone problems throughout the state.

### **Sulfur Dioxide Ambient Air Quality Standard**

On June 3, 2010, EPA established a new one-hour ambient air quality standard for sulfur dioxide (SO<sub>2</sub>) of 0.075 ppm. While ambient monitors within the state have shown values near the standard, there have been no monitored violations of the new standard. However, in the rule, EPA also stated that refined dispersion modeling should be used to determine whether sources have the potential to cause or contribute to a violation of the standard. In March 2011, EPA issued guidance for making designations for the new standard that again recommended that modeling be conducted and evaluated when making designations. Given the conservative nature of these dispersion models, AQD

believes areas within the state around large SO<sub>2</sub> emissions sources will show a modeled violation of the standard. AQD was never given the opportunity to comment on this modeling methodology before or after the methodology was made final. AQD does not believe this use of the modeling tool is appropriate for determining attainment/nonattainment status and on September 29, 2011, DEQ filed a brief in the D.C. Circuit Court of Appeals supporting the State of Texas' judicial challenge of the rule. Based on monitored data, the Governor recommended Muskogee and Tulsa counties be designated unclassifiable and the rest of the state attainment. In May of 2012 EPA convened meetings of stakeholders including states and tribes to discuss information needed to implement the standard and protect public health. While not confirmed, it is believed that EPA is reconsidering the implementation requirements, including the modeling methodology. On July 27, 2012, EPA issued a notice that the deadline for EPA designations has been extended from June 3, 2012, to June 3, 2013.

### **Cross-State Air Pollution Rule**

On July 6, 2011, EPA finalized the Cross-State Air Pollution Rule (CSAPR), originally known (when proposed) as the Clean Air Transport Rule. This rule, which replaced the court-remanded 2005 Clean Air Interstate Rule, is designed to reduce the precursors of ozone and particulate matter from power plants in states east of the Rocky Mountains, allowing downwind states impacted by these emissions to attain the ozone and particulate matter standards. Oklahoma was not included in the original final CSAPR rule. However, due to modeled impacts on Allegan County in Michigan, Oklahoma was included in a July 11, 2011, supplemental notice of proposed rulemaking for possible subsequent inclusion in CSAPR.

Dramatic, unexplained changes contained in the proposed rule would make compliance with CSAPR virtually impossible for Oklahoma utilities, from both a timing and emissions standpoint. For those reasons, even though DEQ is supportive of the intent of CSAPR, the agency has opposed Oklahoma's inclusion. This was reflected in DEQ comments submitted to EPA on August 22, 2011, in response to the notice of proposed rulemaking. On August 21, 2012, the U.S. Court of Appeals

for the District of Columbia vacated the Cross-State Air Pollution Rule and remanded it to EPA. On October 5, 2012, EPA requested that the court reconsider its ruling. In the meantime the Clean Air Interstate Rule, which does not apply to Oklahoma utilities, is back in place.

### **Regional Haze Federal Implementation Plan**

On March 22, 2011, EPA accepted in part and rejected in part the Regional Haze State Implementation Plan (SIP) submitted by DEQ. For the portions that were rejected, primarily related to the SO<sub>2</sub> controls recommended in the SIP, a federal implementation plan (FIP) was proposed. In response to the federal plan, on May 31, 2011, the Oklahoma Attorney General filed a motion for declaratory and injunctive relief, seeking to overturn the federal plan. The court granted a request by EPA to extend the deadline for finalizing the federal plan until December 13, 2011. The final rule was published on December 28, 2011. On April 4, 2012 the Attorney General filed a motion with the Tenth Circuit Court of Appeals seeking a stay of the FIP. The stay was granted on June 22, 2012. DEQ continues to work with both Public Service Company of Oklahoma/American Electric Power and Oklahoma Gas & Electric in an attempt to resolve issues related to the FIP. DEQ is in the final stages of negotiating an agreement with PSO/AEP and EPA that would result in a phase-out and retirement of both coal units at the company's Northeast facility, with replacement generation accomplished by fuel switching to natural gas, increased use of renewables, or purchased power. This plan is designed to allow PSO/AEP to meet all existing federal requirements covering all pollutants. OG&E is working with the agency to install dry sorbent technology on a trial basis in hopes of proving the technology is feasible for meeting federal requirements.

### **LAND PROTECTION DIVISION (LPD)**

Coal combustion residues (CCRs) from power generation are currently regulated under state waste laws. In 2010, EPA proposed alternative options to regulate CCRs, one of which would regulate them as a Resource Conservation and Recovery Act (RCRA) hazardous waste. CCRs have been successfully used in many construction projects, especially road construction. Regulation of the material as a hazardous

waste may significantly curtail this beneficial use. DEQ provided extensive written comments to EPA on this proposed action and the potential adverse impacts on beneficial use.

EPA has targeted 2013 to issue an analysis of the potential health risks from beneficial reuse of coal ash in products such as cement. The results of the study are expected to influence EPA's final rule to either regulate coal ash as a hazardous waste or allow states to regulate it as a solid waste under certain baseline criteria.

In 2011, the U.S. House of Representatives passed HR 2273 to allow states to operate their own CCR programs as long as they meet certain baseline criteria. The Senate did not act on the bill. In August 2012, a bipartisan group of senators introduced a new bill (S 3512) that is similar to the House bill.

## **WATER QUALITY DIVISION (WQD)**

### **General**

EPA currently has more than 20 rulemaking actions with scheduled effective dates on or before January 2014. Many of the processes have slowed over the last few months but EPA indicates that it still expects to move them forward. For wastewater, these rulemaking actions range from new effluent limitation guidelines to major program implementation. For drinking water, the changes range from modifications of existing rules to new regulations triggered by media attention. The rules described below are expected to have the most impact to state water programs and DEQ in the next one to two years. Additionally, EPA has been incorporating "guidance" and "initiatives" into grant work plans. The three initiatives that are likely to have the most significant impact are also included.

### **Safe Drinking Water Act Rules**

Contingent on funding (see Section I), DEQ wants to seek primacy to implement three rules under the Safe Drinking Water Act that are currently implemented by EPA. As noted above, DEQ has been unable to implement those rules: Stage 2 Disinfection By-Product Rule (contains new provisions to limit presence of by-products formed through the

disinfection process and applies the standards to purchase water systems for the first time), Long-Term 2 Enhanced Surface Water Treatment Rule (requires monitoring for Cryptosporidium and new procedures for certain storage tanks) and Ground Water Rule (requires additional assessment, and monitoring and compliance for PWS wells). This has led to confusion by municipalities regarding which agency to contact and what to expect from the two agencies, which tend to take different enforcement approaches.

Additionally, EPA has announced its intention to regulate perchlorate and hexavalent chromium and to modify the Arsenic Rule. These will require additional staff time for compliance assistance, inspections and enforcement. The cost of implementation and level of DEQ funding will determine whether EPA or DEQ will administer the proposed rules.

Finally, EPA has announced the next group of contaminants that will be considered for regulation through the Unregulated Contaminant Monitoring Rule 3. EPA randomly selects water systems around the country to participate in the mandatory monitoring for new contaminants of concerns. Historically, larger cities in Oklahoma including Tulsa and Oklahoma City are selected by EPA. However, EPA has indicated that smaller communities would also be part of the monitoring pool. The direct impact to DEQ is through laboratory assistance provided to the selected communities in order to sample properly and to analyze the samples. Ultimately, DEQ and public water supplies in Oklahoma will face additional regulations after the monitoring period is over, the data is analyzed, and new PWS rules are enacted.

### **Clean Water Act Rules**

The Cooling Water Intake Rule (to reduce impacts to aquatic life from impingement and entrainment) has been delayed but is expected to be finalized in the next few months. It will increase the workload for WQD's permitting staff when drafting permit renewals for the majority of the large quantity water users that WQD regulates, including power plants in particular. There are many provisions that require site-specific review of data prior to implementing the rule in permits.

The Electronic Reporting Rule (mandating that all required National Pollutant Discharge Elimination System reports, Notices of Intent and Notices of Termination be filed electronically into the federal data system) is now scheduled to be finalized by January 2013. EPA estimates the costs to states to implement in the millions of dollars. EPA asserts that the cost will be recovered in the second or third year of implementation. However, states that began early implementation due to state specific requirements have noted that there is not only an increase in capital costs to implement the program but there is an increase in workload to provide the assistance that is needed by the regulated community in order to submit their data electronically. Additionally, they have not seen any reduction but rather an increase in resources even after two to three years of implementation. The National Pollutant Discharge Elimination System (NPDES) Program Update Rule will be proposed in two phases. It will have a wide range of impacts on program implementation and the regulated community. Only Phase I has been shared with states and it contains 16 changes (including application form updates, changes to administrative processes, change to definition of criminal acts, etc.). Preliminary estimates indicate this rule will cause a four- to five-fold increase in workload for the WQD permit writers. EPA had originally indicated an effective date in early 2013; it now is not expected to be proposed until mid to late 2013.

### **Clean Water Act Guidance and Initiatives**

Currently there are 19 guidance documents and initiatives that EPA expects to be implemented in the next one to two years. While not rules, EPA routinely implements the guidance documents through the use of "Best Professional Judgment" provisions of the Clean Water Act and subsequent regulations. EPA has attempted to force states to implement the guidance by linking grant funding to states' willingness to comply with the guidance documents. The three that are likely to have the most impact on Oklahoma are discussed below.

The first of these initiatives is of great concern and is originating with EPA Headquarters Office of Enforcement and Compliance Assurance (OECA). This initiative involves OECA's reviewing required Clean Water

Act data and taking enforcement actions directly. These actions would be in addition to actions taken by states that have been authorized to implement the program. Another troubling component is that OECA would not limit enforcement actions to Significant Non-Compliance (SNC) but would also look at any violation, regardless of significance or impact to the environment or public health. There would be increases in costs to DEQ to provide technical assistance to facilities that receive these EPA enforcement actions and to respond to inquiries as to why these actions were issued.

Another initiative EPA has begun to implement is Integrated Planning. This allows facilities to review all Clean Water Act compliance requirements and prioritize funding and timing to address those issues with greatest impact to public health and the environment first. However, all Clean Water Act issues must be addressed by the conclusion of the Integrated Plan. This will be helpful for communities in some respects but the plan that is required in order to get approval for a delay in compliance is expensive and labor-intensive. For DEQ, there will be additional work in reviewing the Integrated Plan and in developing the combination of permit schedules and enforcement schedules to meet conditions in the Plan. There will also be greater resources spent in tracking the plans since EPA envisions that some schedules may extend up to 25 years. Additionally, there will be an increased workload for the DEQ staff in connection with the required negotiated schedules; these will require a consideration of economic impacts and environmental and public health impacts with the facilities, then with the EPA Region, and – once the facility, state, and Region have agreed – with EPA Headquarters Office of Water and OECA.

The final initiative that is expected to be resource-intensive is an effort by EPA Headquarters to review all state Memorandums of Agreement (MOA) that states have entered into with EPA that authorize states to implement the NPDES program. EPA has provided a template document to assist with the review but it is more than 150 pages. EPA has indicated that the purpose of this review is to bring all states up to date and in line with what EPA has determined is an adequate program. There have been many changes and expansions to the CWA

program since most states received their authority. For Oklahoma, DEQ received authority in 1996. The review itself will be time-intensive. However, the biggest unknown resource requirement relates to what changes, including program expansion, EPA will expect in a revised MOA. States have voiced concerns about what will happen if states and EPA cannot agree to changes to the MOA, particularly those that would require additional state staff to complete additional work without any additional funds. So far EPA has been either unwilling or unable to share with states the remedy to such a situation.

### **STATE ENVIRONMENTAL LABORATORY SERVICES DIVISION (SELS) Analysis of Drinking Water Samples under Stage 2 Disinfection Byproducts Rule**

On January 4, 2006, EPA's Stage 2 Disinfection Byproducts Rule went into effect. SELS continues to analyze PWS compliance samples in connection with the program even though DEQ has been unable to assume primacy for the rule.

EPA recently indicated that DEQ needed to accelerate the compliance sample schedule for Oklahoma PWSs. The proposed schedule would result in the SELS analyzing up to 1,000 organic samples per month, or five times routine analytical capacity. This would severely tax laboratory resources. SELS's request that EPA modify the proposed sampling schedule has met with limited success.

Preparations were made for the analytical increase through the modification and purchasing of instrumentation, personnel training, and laboratory modification. To date the SELS has received for analysis only 40% of the anticipated samples.

EPA did not provide notification to the PWSs of the requirements for timely compliance sampling. This omission has compounded technical assistance and communications issues involving DEQ, the PWSs and EPA. It also increases the potential for EPA to take enforcement action against communities that fail to comply with or even fully to understand the new sampling requirements.

### III. LEGISLATIVE RECOMMENDATIONS

The following are DEQ’s proposals for “request” bills for the 2013 Oklahoma regular legislative session.

#### CONFIDENTIALITY OF CERTAIN INFORMATION FOR HOMELAND SECURITY REASONS

The U.S. Nuclear Regulatory Commission (NRC) provides guidance to Agreement States on the need to protect certain types of information from disclosure due to security concerns. DEQ again proposes to seek legislation that would authorize DEQ to maintain as exempt from public disclosure information regarding sources of radiation in quantities determined by NRC to be significant to public health and safety, if the disclosure of such information could reasonably be expected to compromise public health and safety by increasing the likelihood of theft, diversion, or sabotage. This measure would be akin

to the statutory amendment several years ago allowing “vulnerability assessments” for water systems and wastewater systems to be maintained as confidential.

#### REPEAL OF OBSOLETE HAZARDOUS WASTE BURNING PROHIBITION

The Oklahoma Hazardous Waste Management Act contains a prohibition on the burning for fuel of any hazardous waste that has a heating value of less than 5,000 British Thermal Units (BTUs) per pound. At the time this provision was adopted, it was appropriate as a means to prevent sham recycling, i.e., burning hazardous wastes essentially as a means of disposal but without meeting stringent requirements for hazardous waste incinerators. With more stringent regulations now in place for all types of hazardous waste burning, there is no reason to retain a prohibition that unnecessarily forecloses a legitimate use for lower-BTU hazardous waste. DEQ proposes to repeal this outdated provision.

### Administrative Hearings 2012-2013

Facility or Individual	Nature of Hearing	Outcome
Terra International (Oklahoma) 10-353	Permit modification	Administrative Hearing held. Appealed to District Court.
Vacuum & Pressure Tank Truck Services 09-289	Hazardous Waste violation	Administrative Hearings held. A Consent Order issued to resolve the violations and penalty.
Lafarge Building Materials and Systech Environmental Corporation 11-057	Tier III permit modification	Administrative Hearing held. A final order issued dismissing the case.
Andy Monson 11-222	Improper Soil Profile	Administrative Hearing held. A final order was issued, a fine assessed and paid.

# Criminal Investigation Statistics

7/1/2012 through 6/30/2013	Total
New cases opened	8
Cases carried over	6
Search warrants/consent search	10
Misdemeanor charges filed	6
Felony charges filed	6
Arrests made	4
Misdemeanor convictions	3
Felony convictions	5
Court testimony	1
Months of prison/jail imposed	0
Months suspended or deferred sentence imposed	48
Criminal fines imposed	\$3,852.00
Restitution imposed	\$7,000.00

# Solid Waste Fees Budgeted & Expended - FY 2013

FY2013 Income (through 06/30/2013)			\$6,325,654.07
	FY 2013 Budget for Solid Waste Program	FY 2013 Expenditures/ Encumbrances 07/31/13	
<b>Personnel</b> (Salaries, Insurance, FICA, Retirement, Workers Compensation)	3,036,598	3,002,430	
<b>Equipment</b> (Data Processing Equipment & Software, Property, and Furniture)	225,160	162,965	
<b>Travel</b> (In-state and out-of-state Mileage, Meals, & Incidentals, Lodging)	65,127	42,547	
<b>Miscellaneous Administrative Expenses</b> (Freight, Telecommunications, Informational, Exhibitions, Licenses, Membership, Utility, Copy Charges, Copier Lease)	55,825	69,567	
<b>Indirect Cost</b> (Administrative Services and Information Technologies)	1,500,000	1,462,555	
<b>Rent Expense</b> (Building Space, Telecommunication Equipment)	26,676	36,479	
<b>Maintenance and Repair</b> (Equipment)	97,873	119,507	
<b>Office and Shop</b> (Office Supplies, Data Processing Supplies, Lab Supplies and Services)	100,418	84,217	
<b>Resource Materials</b> (Library Resources)	0	609	
<b>Testing Laboratories</b> (Services providing physical, chemical and other analytical testing)	0	0	
<b>Contracts</b>			
SWRINO/Solid Waste Research Institute	90,000	90,000	
Association of County Commissioners	40,000	35,000	
Keep Oklahoma Beautiful	65,000	65,000	
Trash Poster Contest	20,000	20,000	
Medical Monitoring	24,500	4,774	
OSU Cooperative Extension	1,000	0	
Oklahoma City Beautiful	10,000	0	
Legal/Court Reporting Services	3,000	2,345	
Mercury Recycling	5,000	0	
Community Based Environmental Protection	90,000	0	
Recycling Equipment - Local Governments	200,000	80,804	
Land Reclamation	100,000	49,723	
Projects to Implement County Plans	400,000	400,000	
Total Budget for Contracts	1,048,500	747,645	
<b>TOTALS</b>	<b>6,156,176</b>	<b>5,728,521</b>	<b>77</b>

# Administration and Effectiveness of the Oklahoma Used Tire Recycling Program for FY 2011, 2012 and 2013

## Background

The Oklahoma Used Tire Recycling Act (Act) requires the Department of Environmental Quality (DEQ) to file a report with the Legislature and the Governor detailing the administration of the Act and its effectiveness in implementing the cleanup of existing tire dumps and in preventing the development of new dumps. The report is to be filed every three years [27A O.S. §2-11-401.6(B)(5)]. This report summarizes the information contained in the Governor's report and includes information on legislation, administration and activities as a result of the Act. Activities for Fiscal Year (FY)11 (July 1, 2010 – June 30, 2011), FY12 (July 1, 2011 – June 30, 2012), and FY13 (July 1, 2012 – June 30, 2013) demonstrate the Used Tire Recycling Program (Program) continues to benefit Oklahomans by facilitating proper recycling of tires.

## Used Tire Fund Revenue

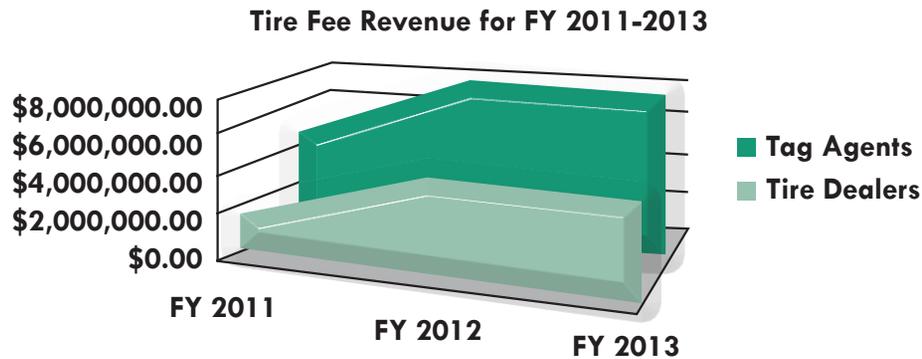
Tire dealers and tag agencies are required to collect tire recycling fees on tires sold and for tires associated with newly registered vehicles

in the state. Recycling fees are deposited into the Oklahoma Tax Commission (OTC)-administered Used Tire Recycling Indemnity Fund (Fund) and subsequently used to reimburse permitted facilities that beneficially reuse tires that can no longer be used for their original intended purpose. Currently, the Fund is used to reimburse cement kilns, crumb rubber facilities, and facilities that shred tires. These entities are known as Qualified Applicants for Collection and Transportation (QACTs). Table 1 shows the revenue received by OTC from tag agents and tire dealers for the three-year reporting period.

Based on data compiled by OTC, fees collected during FY11, FY12 and FY13 demonstrate an upward trend for Fund revenues. The intent of the new fee of \$2.50 effective July 1, 2011, was to increase Fund revenues so that QACTs are compensated for their efforts and tire dumps can be cleaned up across the state. Fund revenues increased over this period with FY 2011 yielding the lowest revenues of the three year period due to the effect of the new legislation (Figure 1 on next page).

Month	Tag Agents	Tire Dealers	Total
FY 2011	\$1,702,240.00	\$4,306,389.30	\$6,008,629.30
FY 2012	\$3,951,578.50	\$7,639,395.74	\$11,590,974.24
FY 2013	\$3,951,578.50	\$7,639,395.74	\$11,590,974.24

**Table 1. Tire fee revenue for FY 2011-2013 from tag agents and tire dealers**



**Figure 1. Graph showing tire fee revenues increase over a three-year period for FY11-FY13**

### Legislative Timeline

In accordance with 27A O.S. § 2-11-401.2(A)(1)(a), fees are assessed on any tire sold. Effective July 1, 2007, a new category was added to include a fee of \$2.50 for tires with rim sizes greater than 17 ½ inches and less than 19 ½ inches in rim diameter. A fee of \$1.00 remained in effect for tires sold with a rim diameter of 17 ½ inches or less and tires sold for use on a motorcycle, motor-driven cycle or motorized bicycle. Tires with a rim diameter of greater than 19 ½ inches remained at \$3.50.

Effective July 1, 2010, a waste tire fee of \$0.05 per pound of weight with a minimum fee of \$2.50 was required to be collected for tires used on implements of husbandry and agricultural equipment that are not more than 14 inches wide and 44 inches in diameter. Effective July 1, 2013, all sizes are included in the Program.

Effective July 1, 2011, “waste tire” became “used tire” pursuant to the definition for “used tire” in 27A OS § 2-11-401.1 (17). In addition, a separate category for tires with rim diameters of greater than 17 ½ inches and less than 19 ½ inches were omitted. The current tire fees are \$2.50 for tires with a rim diameter of less than or equal to 19 ½ inches and \$3.50 for tires with a rim diameter of greater than 19 ½ inches. Motorcycle tires remain at \$1.00. Additionally, new legislation in 2011 allows for remediation of tire dumps on the Priority Cleanup List (PCL) using remaining monies in the Fund after all other allocations have been made according to the statutes.

### Sources of Oklahoma Used Tires

There are three primary sources of used tires in Oklahoma. These sources include: 1) tire dealers and licensed automotive dismantlers and parts recyclers; 2) illegal tire dumps; and 3) community-wide tire collection events and landfills. These sources generated an estimated 10.2 million tires over the three-year period. Tire dealers and licensed automotive dismantlers and parts recyclers generated an estimated 9.6 million used tires while illegal dumps, community-wide tire collection events and landfills generated an estimated 610,000 used tires.

### Tire Dealers and Automotive Dismantlers and Parts Recyclers

Facilities that accept used tires are required to collect or attempt collection of tires from dealers and other businesses that sell tires in all 77 counties. These businesses may include tire dealerships, auto dealers, and licensed automotive dismantlers and parts recyclers. Most of the used tires in Oklahoma are generated by tire dealers. Tire dealers are required to submit fees to OTC for tires sold. The dealer keeps the used tires which are picked up by QACTs. The program has been successful in minimizing the opportunity for illegal disposal and reducing the number of tire dumps across the state. In lieu of remitting tire recycling fees, proof of purchase of a salvage vehicle registered in Oklahoma by an automotive dismantler and parts recycler, licensed pursuant to the Automotive Dismantlers and Parts Recycler Act, may be presented for the collection and transportation of up to five (5) used tires per salvage vehicle purchased on or after January 1, 1996.

### Tire Dealer Inspections

Effective July 1, 2007, DEQ was authorized to conduct tire dealer inspections. The intent of this law is to provide a mechanism by which Program staff can identify tire dealers and other businesses that sell tires and who are not in compliance with the Act. During this three year period (FY 2011-FY 2013) staff conducted 119 inspections with an 80% compliance rate.

The Motor Vehicle Division of OTC conducts basic and/or complete audits on all Motor License Agents (MLAs) in the State. In basic and

complete audits, OTC checks to ensure that the MLAs are collecting and generating the proper waste tire fee receipt. If collected improperly, a ledger adjustment is processed and fees are transferred to the appropriate account. The number of agents varies during the year as some close and others open.

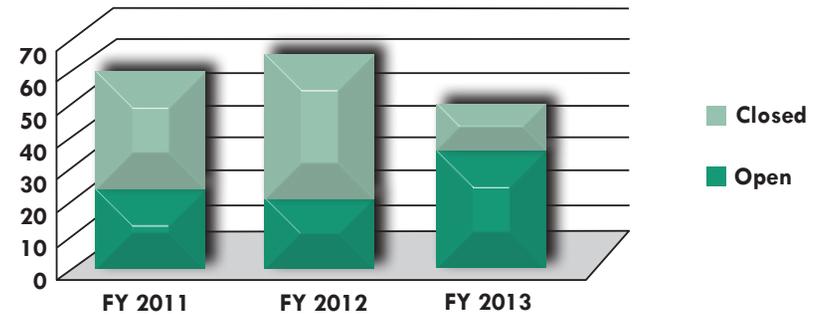
Based on the annual audit report from OTC Motor Vehicle Division to DEQ for FY11, all 300 MLAs collected tire recycling fees of which only 11 collected fees improperly. On June 22, 2011, a letter was sent by OTC to all tag agents briefing them of the fee changes effective July 1, 2011. In FY12, all 300 MLA collected tire fees of which seven (7) agents were in error. In FY13, all 298 MLAs collected tire recycling fees of which seven (7) agents were in error. All fees have been collected and/or ledger adjustments charged to the agent. In FY13, a change was made to the OTC system so that when an agent collects missed tire recycling fees, they can generate a receipt for those fees only, thus eliminating the need to have to write up the transaction and have the fees transferred by OTC.

### Illegal Tire Dumps

In accordance with the Act, DEQ is authorized to prioritize dumps where the landowner is a victim of illegal dumping. Any other tire dump may be placed on the PCL when the administrative enforcement process has been exhausted. In such cases, DEQ may provide for the cleanup of the dump pursuant to 27A O.S. § 2-11-401.7.

An estimated 196,222 used tires were collected from illegal tire dumps during FY11-FY13. This is a large increase compared to the last three year period (FY08-FY10). During the FY11-FY13 reporting period, 85 tire dumps were authorized and placed on the PCL. Ninety-seven tire dumps were successfully cleaned up. Over FY11 and FY12, tire dump authorizations remained about the same; however, FY13 reflected a large increase in the number of dumps authorized by DEQ (Figure 2). Although the number of dumps increased in FY13, the magnitude of the dumps was less severe.

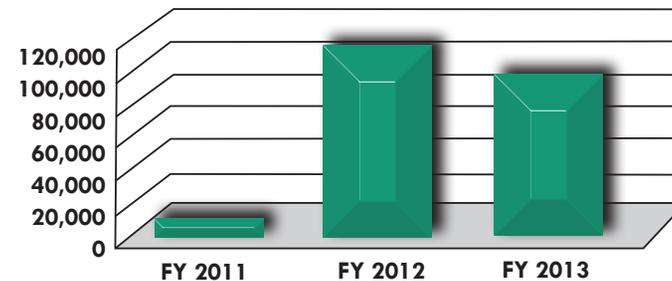
### Tire Dump Activity During FY 2011-2013



**Figure 2. Graph showing number of closed and open dumps during FY11-FY13**

The number of tire dumps remediated was highest in FY12 and lowest in FY13 (Figure 3). In FY12, the number of tires remediated from dumps increased from previous years. This was due in part to the statutory change effective July 1, 2011, that allows extra funds to be used to remediate illegal tire dumps. We expect this trend to continue until most or all tire dumps are cleaned up in the state. Since the inception of the program, the number of tires in dumps decreased from over a million to less than 125,000.

### Tires Remediated from Dumps in FY 2011-2013



**Figure 3. Graph showing number of tires remediated from dumps in FY11-FY13.**

## Remediation Efforts

Table 2 is a summary of remediation efforts to date. We have reimbursed \$630,840 for cleanup efforts and allocated \$99,450 for dumps in Grady, Jackson, and McClain counties. Several sites have been identified for remediation in the upcoming months which will significantly decrease the balance available for dump remediation in the next fiscal year. Under the new remediation funding as of June 30, 2013: 155,779 tires totaling 2,556.91 tons have been removed from illegal dumps under the new program. Based on data collected from the 16 dumps remediated under the new program, a unit cost of \$4.05 has been established per tire in an illegal dump site.

Dump Remediation Status (1-10-12)	Number
Remediated	16
Assigned	18
In Progress	2
Site Visit/Waiting on cost estimate	3

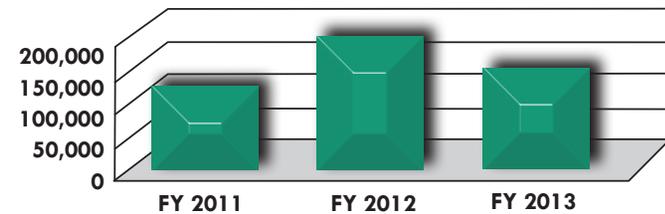
**Table 2. Table reflecting the status of remediation sites.**

## Community-Wide Events

In addition to illegal tire dumps, the Act provides for the collection of tires from landfills and community-wide tire collection events approved by DEQ. An estimated 426,502 tires were collected from community-wide tire collection events and landfills during FY11-FY13. Figure 4 shows the number of tires remediated from these events. The number of events was highest in FY12 and slightly less in FY13 reflecting a substantial increase over the FY08-FY10 period by 193,447 tires. This trend indicates more communities are taking advantage of community-wide events and fewer tires are being illegally dumped as reflected in the number of dumps removed from the PCL over the three-year period. These results are consistent with the goals of the Act and more

specifically with DEQ objectives for this period. These objectives are to increase the number of community-wide events and decrease the number and/or magnitude of illegal dumps.

## No. of Tires Generated From Community-wide Tire Collection Events During FY 2011-2013



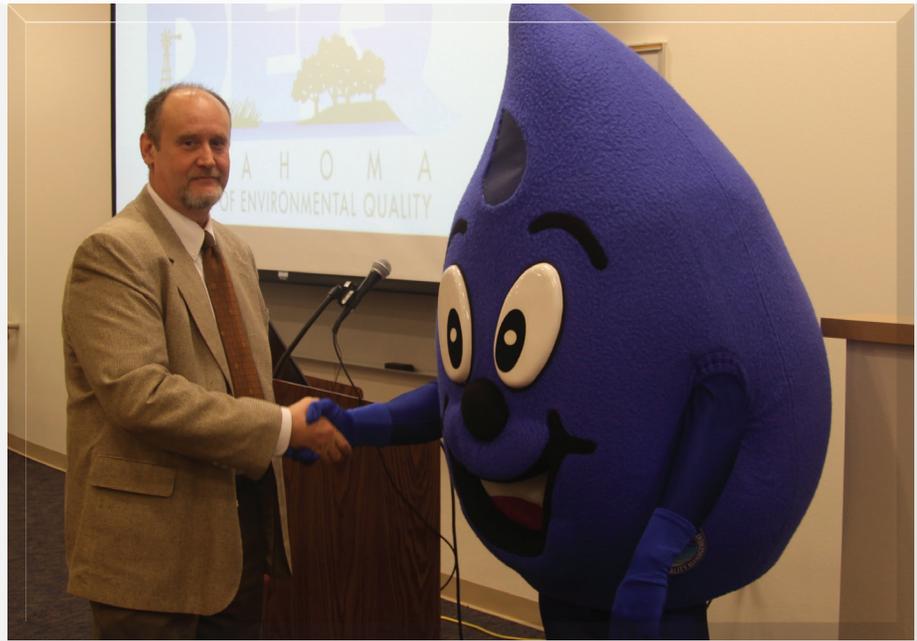
**Figure 4. Graph showing number of tires generated from community-wide tire collection events during FY11-FY13.**

## Oklahoma Clean Community

Since July 1, 2011, the Program has focused primarily on legacy dumps, some of which have been in existence since the inception of the Program, and dumps that have human health or environmental implications. Our remediation efforts have reduced the number of tires in all dumps to about half of what we estimated prior to 2011. These cleanups have helped to eliminate risk to human health and the environment. In an effort to deter illegal dumping, DEQ continues to focus on community-wide tire collection events. In 2013, DEQ and Keep Oklahoma Beautiful (KOB) partnered to create Oklahoma Clean Community which was implemented in 2013 to recognize communities for their efforts as good environmental stewards.

The intention of the Oklahoma Clean Community program is to provide recognition to those entities (i.e., towns, cities, rural communities, tribes, counties, extension units, etc.) that participate, cooperate and/or collaborate in cleaning up tire dumps and implementing preventative measures to stop illegal tire dumping in their communities. Additionally, the program encourages communities to engage in other environmental service projects and encourages other entities to become Oklahoma

Clean Communities. Communities recognized in FY 2013 include Optima, Choctaw Nation, Oklahoma City, Wyandotte Nation, and Pride in McAlester. Several more are planned later in calendar year 2013. Figure 5 is a photograph of the recognition ceremony for the City of Oklahoma City.

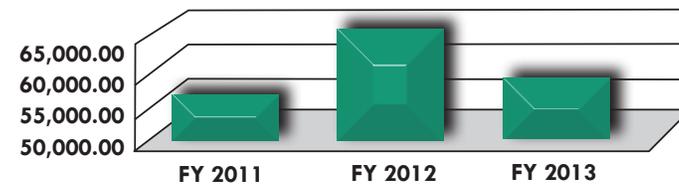


**Figure 5. Scott Thompson, Division Director of the Land Protection Division, congratulates Wayne Drop from the City of Oklahoma City.**

### Recycling of Oklahoma's Used Tires

More than three million tires are collected by QACTs on an annual basis. During this reporting period (FY11-FY13), an estimated 10.2 million (175,990.06 tons) tires were collected for processing by QACTs (Figure 6). The total includes tires collected from tire dealers, salvage yards, illegal tire dumps, landfills, and community-wide tire collection events. These totals reflect numbers of tires collected, transported and processed through June 2013. In general, the number of used tires collected, transported and processed by QACTs increased in FY 12 and was lowest in FY11.

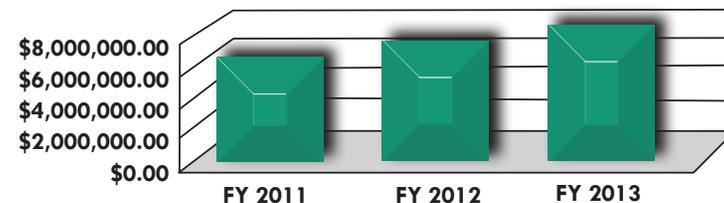
### Total Tonnage Collected, Transported and Processed by QACTs during FY 2011, 2012, 2013



**Figure 6. Graph showing total tonnage collected, transported and processed by QACTs during FY11, FY12, and FY13.**

During FY11, FY12, and FY13, QACTs were reimbursed \$19,032,911.25 from the Fund for managing Oklahoma's used tire stream (Figure 7). Payments to QACTs for all tiers were highest during FY13 although tonnages were higher in FY12. This is due to pro-rations that occurred during FY12 because of insufficient funds. Overall, funding improved over the three-year period and 100% reimbursement was provided to QACTs in FY13. Additionally, funds were available for remediation of tire dumps in FY12 and FY13.

### Grand Total Reimbursement to QACTs During FY 2011-2013



**Figure 7. Graph showing total reimbursement to QACTs during FY11-FY13**

During FY11, FY12, and FY13, the state reimbursed eight (8) permitted QACTs for collecting, transporting, and processing tires from dealers,

salvage yards, illegal tire dumps, landfills, and community-wide collection events across Oklahoma. Used tire processing activities include burning whole tires in cement kilns for fuel, shredding whole tires, and the production of crumb rubber. Crumb rubber facilities include Bristow Rubber Recycling (Bristow), and Four-D Corporation (Four-D). Bristow was purchased by BFP Management, LLC within the three-year period. The business is currently managed and operated by Liberty Tire. Cement kilns that used whole tires for fuel during this period include LaFarge Building Materials (LaFarge), Holcim US, Inc. (Holcim) and Lone Star Industries, Inc. dba Buzzi Unicem USA (Lone Star). Systech, RTR Environmental (RTR), and Geocycle LLC (Geocycle) transport and shred whole tires for use in landfills and market as an alternative fuel source.

### Products

The bulk of used tires in Oklahoma are used for two primary purposes, which include burning whole tires for fuel at cement kilns and in the production of crumb rubber. In FY10, DEQ approved the use of tire shreds in landfills as protective covering and in leachate collection

systems, which is the primary reason for increased shred production. In FY11, crumb rubber and tires used as fuel in cement kilns were the primary markets (Figure 8). The addition of shredded tires as a viable market decreased the percentage of tires being used as crumb rubber and in cement kilns. In FY12 and FY13, tire shreds became a larger portion of the market displacing the production of crumb rubber (Figures 9 and 10). In addition, one cement kiln (LaFarge) no longer burns tires as fuel and another one (Lone Star) started using more out of state tires.

### New Markets

New viable markets have become increasingly important as the State is currently limited to burning tires in cement kilns, shredding, or crumb rubber production. Until recently, cement kilns burned over 50% of the used tires in Oklahoma and most of the balance is processed into crumb rubber or shreds used at landfills. In 2010, DEQ approved the use of tire shreds in landfills as daily protective cover and in leachate collection systems which represents an increased percentage of the total markets in Oklahoma. More markets are needed in Oklahoma

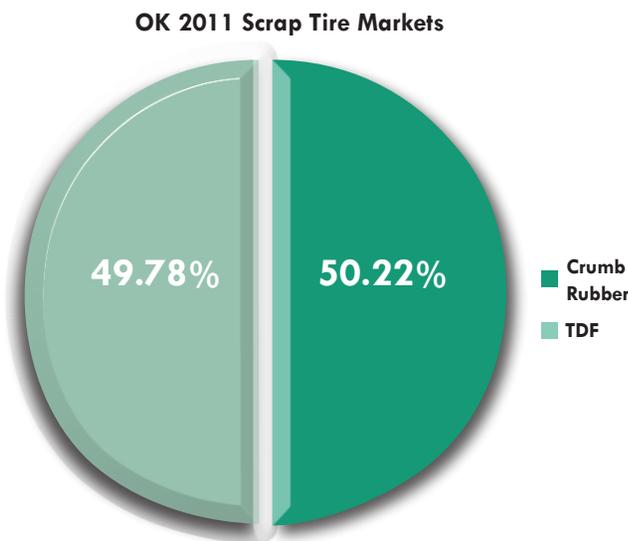


Figure 8. Chart showing market distribution for FY11

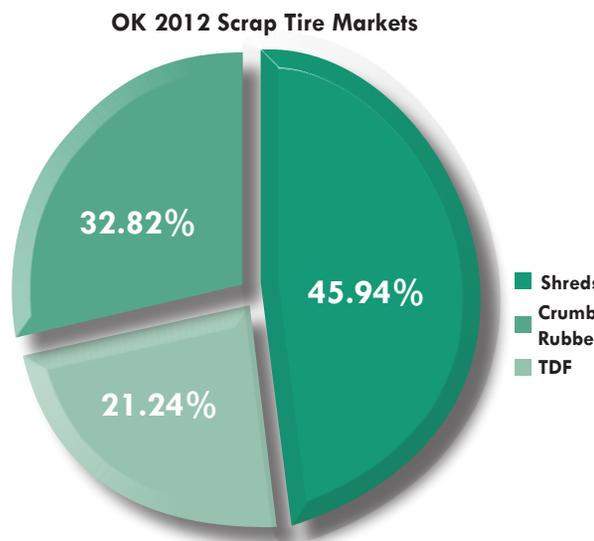


Figure 9. Chart showing market distribution for FY12

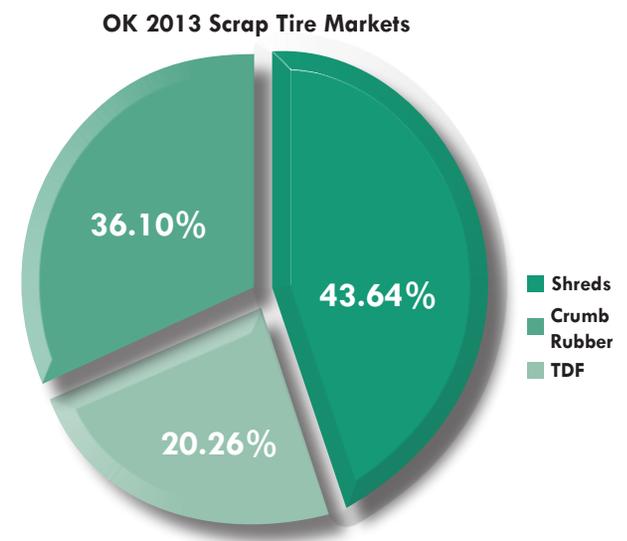


Figure 10. Chart showing market distribution for FY13

that can effectively remove tires from the waste stream. One such market which has been successful in many states is blending ground rubber to favorably modify the properties of asphalt used in the construction of roads and highways.

In 2012, DEQ hosted a forum on rubber-modified asphalt (RMA). The forum addressed ongoing developments, improvements and challenges related to the use of RMA in road construction. In addition to benefits of RMA, such as maintenance cost savings and superior road performance, RMA is capable of utilizing 2,000 tires per lane mile. The ground rubber material utilized is abundantly available in Oklahoma. In 2012, the American Association of State Highway & Transportation Officials (AASHTO) approved several changes for testing standards that will finally allow recycled tire rubber (RTR) into the widely used “performance grade asphalt” standards of the state DOTs, removing one of the major obstacles to using RMA routinely in Oklahoma.

### **Conclusion**

Oklahoma’s Program is successful in beneficially reusing tires. Facilities that beneficially reuse tires were able to recycle an estimated 10.2 million used tires during FY11-FY13 which is an increase from the last reporting cycle by approximately 800,000 tires. Together, QACTs cleaned up approximately 610,000 tires from illegal tire dumps, community-wide tire collection events, and landfills, which is nearly three (3) times the number of tires collected during the last reporting period. The state continues to make significant progress toward cleaning up tire dumps and deterring illegal dumping by encouraging participation in community-wide tire collection events and recognizing communities for their efforts through the Oklahoma Clean Community Program. The number of tire dumps has decreased dramatically as a result of new legislation that allows money from the Fund to be used to remediate tire dumps on the PCL. If this trend continues as expected, proper disposal of Oklahoma’s used tires is assured in the future. Finally, DEQ will continue to investigate and encourage new markets, such as the use of ground rubber in road surfaces.



*Used Tires*



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O K L A H O M A  
DEPARTMENT OF ENVIRONMENTAL QUALITY