



## Organization

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### MISSION STATEMENT

Equitably administer environmental laws considering both the economy of today and the environment of tomorrow.

### FISCAL YEAR 2000 GOALS

GOAL ONE:

Administer effective processes, rules and regulatory approaches while developing a more effective state/federal partnership.

GOAL TWO:

Simplify processes while producing more standardized, effective and timely permits.

GOAL THREE:

Focus on customer services and non-regulatory approaches for business, local government and citizens.

GOAL FOUR:

Focus on the maintenance of a responsive, accurate and timely environmental complaints process and emergency response system.

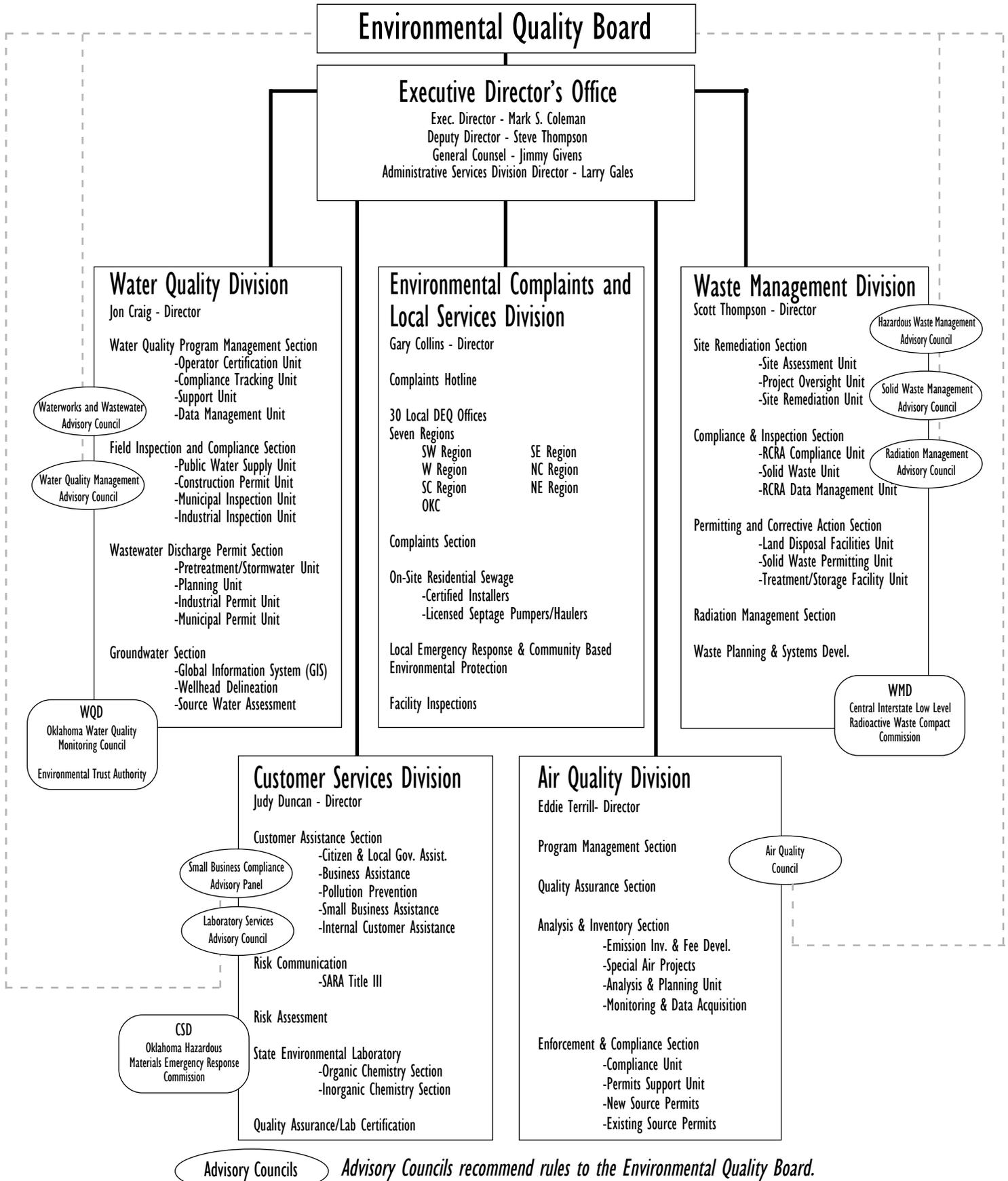
GOAL FIVE:

Focus compliance activities to maintain or improve environmental quality.

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E N V I R O N M E N T A L   Q U A L I T Y

# DEQ Organizational Chart



# DEQ Organization

## Administration

Administrative Services is the managerial and operational arm of the Department of Environmental Quality and includes the Office of the Executive Director, Legal Services and Support Services. Administrative Services continues to be funded through indirect sources rather than from appropriated funds.

The Office of the Executive Director is responsible for mission and goal development, departmental vision, policy and direction, final authority for permit approval, administrative orders, rules development and litigation. The General Counsel is housed in this office and, through the agency's Legal Services, oversees the legal affairs of the agency. Additionally, the Office of the Executive Director serves as the initial point of contact for the Governor's Office, the Legislature and other state and federal agencies. The agency's public information office that handles media relations is also managed and coordinated through the Executive Director's Office.

Support Services provides all fiscal, personnel, building infrastructure and information management services for the agency.

## Air Quality

The Clean Air Act, last amended in 1990, provides the national framework for efforts to protect air quality. The Air Quality Division (AQD) implements the state and federal Clean Air Acts. As part of this implementation, the division recommends adoption of rules, promotes compliance efforts, enforces rules, and develops pollution prevention strategies to reduce emissions and improve air quality. The operational strategies and procedures of AQD are contained within an EPA-approved State Implementation Plan. This plan includes rules and strategies developed at the state level for

implementing the various federal air quality programs. DEQ has acquired delegation of most EPA air quality programs that are available.

## Customer Services

The Customer Services Division provides support to customers inside and outside the agency through two major sections, the Customer Assistance Program and the State Environmental Laboratory.

The Customer Assistance Program houses the offices of citizen, local government and business assistance. Integral programs to the operation of these offices are the agency's pollution prevention, small business assistance, rural assistance, risk assessment, risk communication and laboratory certification activities. In this multi-faceted role, the Customer Assistance Program provides a single point of access for agency information and services.

The State Environmental Laboratory also operates within the Customer Services Division. The organic and inorganic laboratories provide analytical support to various programs within DEQ, to other state agencies, to the state's 1,700 public water supply systems and to citizens who request services.

## Environmental Complaints And Local Services

The Environmental Complaints and Local Services Division (ECLS) has consolidated offices in two areas and now has 30 field offices across the state. The staff of these offices provides the agency's front line of contact for Oklahoma citizens with environmental concerns. Field staff make the initial response and investigation of

all environmental complaints, hazardous materials spills and other environmental emergencies. ECLS employees also perform compliance monitoring inspections of permitted facilities, respond to citizen requests for services, such as private septic systems percolation tests and inspections, and assist communities in identifying and correcting infrastructure problems.

## Waste Management

The Waste Management Division provides solid waste and hazardous waste planning, management, enforcement, facility design, and groundwater protection services. Oklahoma has been authorized to carry out a state hazardous waste program pursuant to the federal Resource Conservation and Recovery Act (RCRA) since January 1985. Under RCRA, the division oversees the generation, transportation, treatment, storage, disposal, and recycling of hazardous waste throughout the state. The division is responsible for regulating municipal solid waste, industrial waste, and other non-hazardous solid waste under the authority of the Oklahoma Solid Waste Management Act. Additionally, the division manages regulatory activities for the use of atomic energy and other sources of ionizing and non-ionizing radiation.

The division also carries out activities as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund

Amendments and Reauthorization Act of 1986, popularly known as the Superfund program. This national program directs the cleanup of contaminated sites when public health or the environment are threatened by improperly handled or abandoned hazardous substances. Apart from the Superfund sites, the division ensures the cleanup of many other contaminated areas throughout the state as part of a broader Brownfields/voluntary cleanup effort.

## Water Quality

The Water Quality Division manages programs related to Oklahoma's wastewater discharges from industrial and municipal facilities, storage and disposal of industrial and municipal wastewater, and protection of public water supplies. Programs include evaluation of stream, lake and ground water quality, management of storm water requirements, evaluation of public water supply wells, evaluation and approval of municipal construction plans, enforcement of industrial, municipal and public water supply regulations and training and certification for water and wastewater operators. In FY99, the Water Quality Division received authority from EPA headquarters to regulate storm water, the final component of the assumption of the federal wastewater regulation program known as the National Pollutant Discharge Elimination System (NPDES) program. This program allows construction and industrial multi-sector facilities to receive a general permit from DEQ.



# Boards and Councils

## Board and Councils

Most state environmental agencies and the Environmental Protection Agency (EPA) adopt their own rules after notice and opportunity for public comment. In Oklahoma, appointed representatives of the *public* recommend and adopt rules, again after notice and opportunity for public comment, through the advisory councils and the Environmental Quality Board (EQB). The DEQ then operates under the guidance of those rules. Thus, Oklahomans have a much higher level of influence in rules that govern DEQ than is typical.

Environmental rules tend to be technical and in some areas highly complex. Thus the Legislature faced a dilemma when DEQ was created. It wanted the public to make the rules. Yet, the councils and the EQB needed members who had the technical know-how to review and recommend effective rules. However, most of the people with technical know-how were practicing professionals who not only would be doing business with the regulated community, but might be doing business with the agency itself. The simple solution was to give the agency,

not the EQB or a council, the responsibility to consider individual permit applications and enforcement actions. In that way the EQB and councils are considering rules related to *classes* of facilities and the agency is implementing regulation for *individual* facilities. This structure was specifically designed by the drafters of the authorizing statutes to allow the state to benefit from knowledgeable individuals in the private and public sector while shielding those individuals and the state from a conflict of interest.

## Environmental Quality Board

Consisting of 13 members, the Environmental Quality Board (EQB) serves as the agency’s rulemaking authority. The Governor, with Senate confirmation, appoints each board member to represent legislatively prescribed categories of DEQ customers. In FY 2000 the EQB held meetings in Braman, McAlester, Oklahoma City and Tulsa. The EQB is statutorily responsible to hold quarterly forums across the state. These forums allow public input and the dissemination of information. Public forums are generally held in conjunction with regular board meetings.

## Environmental Quality Board

MEMBER	PROFESSIONAL REALM	TERM
Jennifer Galvin	Petroleum Industry	1/31/2004
Bob Drake	Rural Water Association	1/31/2002
Cheryl Cohenour **	Hazardous Waste Industry	1/31/2001
Frank Condon	Manufacturing Representative	1/31/2003
Karol "Terri" Savage	Non-profit Statewide Environmental Organization	1/31/2002
Jerry Johnston	Local Governing Board of City or Town	1/31/2005
Phil Klutts	Agriculture Industries	1/31/2001
Richard Wuerflein	Conservation District Representative	1/31/2001
Lew Meibergen	Non-profit Statewide Environmental Organization	1/31/2003
Roger Miner	Solid Waste Industry	1/31/2002
Lee Paden *	Water Usage	1/31/2004
Herschel Roberts	Environmental Professional	1/31/2003
Don Ukens	Non-Profit Statewide Environmental Organization	1/31/2004

*All members are appointed by the Governor, confirmed by the Senate  
 \* Denotes Chairman    \*\* Denotes Vice-Chairman*

## Air Quality Council

The Air Quality Council serves as the initial rulemaking body for air quality issues. The nine members of the Council are appointed by the Governor to represent specific stakeholder groups (Agriculture, General Industry, Utility, Engineering, Higher Education, Petroleum, Transportation, Local Government and General Public). The Council actively seeks input from the public and the regulated community by conducting public hearings across the state. After thoroughly reviewing rule drafts and considering comments, the Council approves rules and recommends Environmental Quality Board action. During FY 2000, the Council recommended 23 rules and appendices to the Board.

## Hazardous Waste Management Advisory Council

The Hazardous Waste Management Advisory Council is responsible for recommending to the Environmental Quality Board rule changes affecting hazardous waste handling throughout the state. The Council conducted two meetings during FY 2000.

They met October 14, 1999, in Oklahoma City and January 13, 2000, at the Tulsa DEQ Office. They adopted rules covering waste characterization issues for off-site hazardous waste facilities; verification of Brownfields Projects; and federal hazardous waste regulations with the addition of mercury-containing lamps as a state universal waste

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## Air Quality Council

MEMBER	PROFESSIONAL REALM	APPOINTING OFFICIAL	TERM
Rick Treeman	Agriculture	Governor	6/15/2003
Sharon Myers	General Industry	Governor	6/15/2002
David A. Branecky	Utility	Governor	6/15/2006
William B. Breisch	Engineering	Governor	6/15/2006
Larry Canter, Ph.D.	Higher Education	Governor	6/15/2004
Joel Wilson	Petroleum	Governor	6/15/2005
Gary A. Kilpatrick	Transportation	Governor	6/15/2000
Leo Fallon	Local Government	Governor	6/15/2001
Fred A. Grosz	General Public	Governor	6/15/2005

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## Hazardous Waste Management Advisory Council

MEMBER	PROFESSIONAL REALM	APPOINTING OFFICIAL	TERM
Bob Kennedy	Industry	Governor	3/01/2002
Douglas Hawkins	Non-Profit Environmental Organization	Governor	3/01/2003
Jody Reinhart	Hazardous Waste Industry	Speaker of the House	3/26/2003
David Bradshaw, P.E.	Geology	Speaker of the House	9/11/2003
Steve Tomberlin	Political Subdivision	President Pro Tempore of the Senate	3/11/2003
Michael D. Graves	General Public	President Pro Tempore of the Senate	3/11/2001
Wesley Anderson	Industry generating hazardous waste	President Pro Tempore of the Senate	3/11/2002
Bruce Elwell	Political Subdivision	Governor	3/01/2002
Gerald S. (Jerry) Ihler	Engineering	Speaker of the House	9/11/2003

## Laboratory Services Advisory Council

The Laboratory Services Advisory Council must review and approve all laboratory service and laboratory certification rules and regulations and then refer them to the Environmental Quality Board for further action. The Council consists of nine citizens from specific disciplines. Three each are appointed by the Governor, the Speaker of the House, and the President Pro Tempore of the Senate. The Laboratory Services Advisory Council held a public meeting in Oklahoma City to discuss changes within the National Environmental Laboratory Accreditation conference (NELAC) standards. It was the decision of the Council to closely monitor the transitional evolution of the NELAC standards prior to the future direction of laboratory standards for the State of Oklahoma. The Council also held preliminary discussions concerning the need to revise the DEQ laboratory Services Fees.

## Radiation Management Advisory Council

The Radiation Management Advisory Council reviews and approves radiation management rules and recommends them to the Environmental Quality Board for further action. The Council consists of nine citizens from specific disciplines. Three each are appointed by the Governor, the Speaker of the House, and the President Pro Tempore of the Senate. During FY 2000, the Council approved the "re-right/de-wrong" rules package, and sent it to the Environmental Quality Board where it was approved. This included rules governing Agreement State status and Radionuclides NESHAP.

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### Laboratory Services Advisory Council

MEMBER	PROFESSIONAL REALM	APPOINTING OFFICIAL	TERM
Elaine Stebler	Microbiology	President Pro Tempore of the Senate	9/9/2002
Larry Brim	Private Laboratory	President Pro Tempore of the Senate	9/9/2003
William J. Janacek	Public Laboratory	President Pro Tempore of the Senate	9/9/2001
Ali Fazel	Private Laboratory	Speaker of the House	2/4/2002
Harry L. Gearhart	Permit Holder	Speaker of the House	2/4/2002
Betty Fox	Environmental Chemistry	Speaker of the House	2/4/2001
George Dust	Private Laboratory	Governor	7/1/2000
Terry Lyhane	Hydrogeology	Governor	7/1/2002
James W. Engman	Permit Holder	Governor	11/1/2001

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### Radiation Management Advisory Council

MEMBER	PROFESSIONAL REALM	APPOINTING OFFICIAL	TERM
Burl Nethercutt	Industrial Radiography	President Pro Tempore of the Senate	3/03/2001
George W. Fowler	General Public	President Pro Tempore of the Senate	1/03/2002
Paul Skierkowski, Ph.D.	Institute of Higher Learning	President Pro Tempore of the Senate	1/03/2003
Karen Jennings	Environmental Org.	Governor	11/01/2001
Steve Woods	Engineering Profession	Governor	7/01/2002
Donald Brewer	Manufacturing or Processing Industry	Governor	7/01/2001
Steve Clark	Petroleum Industry	Speaker of the House	6/22/2002
Barry Burks	Transportation Industry	Speaker of the House	1/11/2002
David Gooden, J.D., Ph.D.	Medical Industry	Speaker of the House	9/11/2003

## Small Business Compliance Advisory Panel

The Small Business Compliance Advisory Panel has the authority and duty to: render advisory opinions on the effectiveness of the state small business stationary source technical and environmental compliance assistance programs, to review difficulties encountered by small businesses with the regulatory system, and to make recommendations related to the degree and severity of enforcement. The panel also reviews information for small business stationary sources to assure that such information is understandable by the layperson. The panel consists of seven citizens. Two are appointed by the Governor and one each by the Speaker of the House, the President Pro Tempore of the Senate, the Senate Minority Leader, the House Minority Leader and the DEQ Executive Director.

The Small Business Compliance Advisory Panel (SBCAP) continued in its mission to represent the needs and concerns of the small business community. The SBCAP met once in FY 2000 to hear updates on and provide input into several important initiatives. The Dry Cleaner Project was a massive initiative to inventory and educate the dry cleaning community regarding federal state requirements. The Panel provided input into the methodologies used as well as providing commentary on the readability of

various forms. The Panel also provided input into the early stages of the Metal Finishing Outreach as well as the New Source Identification Program. The staff of the Small Business Assistance Program and the Air Quality Division appreciates the valuable critique of our programs and methods by the SBCAP, so as to ensure the best service to the small business community in Oklahoma.

## Solid Waste Management Advisory Council

The Solid Waste Management Advisory Council reviews and approves solid waste management rules and recommends them to the Environmental Quality Board for further action. The Council consists of nine citizens from specific disciplines. Three each are appointed by the Governor, the Speaker of the House, and President Pro Tempore of the Senate. The Solid Waste Management Advisory Council held four quarterly meetings during FY 2000. They were held in Piedmont, Stillwater, Oklahoma City, and Norman. Most attention during the FY 2000 meetings was focused on completing the "re-right/de-wrong" process for the solid waste rules in OAC 252:510 and OAC 252:520. This effort culminated in the Council passing the revisions at its first meeting in FY2001. The Council has also been instrumental in providing guidance to the rules development committee during its in-depth review of solid waste rules.

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## Small Business Compliance Advisory Panel

MEMBER	PROFESSIONAL REALM	APPOINTING OFFICIAL	TERM
Loretta Plugge	General Public	Governor	3/1/2002
William Wortman	General Public	Governor	3/1/2003
Vacant	Small Business Owner	President Pro Tempore of the Senate	
Don Law	Small Business Owner	Speaker of the House	1/15/2002
Robert Henry	Small Business Owner	Senate Minority Leader	11/8/2003
Vacant	Small Business Owner	House Minority Leader	
Matt Robison	No Specific Requirements	DEQ Executive Director	3/1/2002

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## Solid Waste Management Advisory Council

MEMBER	PROFESSIONAL REALM	APPOINTING OFFICIAL	TERM
Ken Purdy	Statewide Environmental Organization	Governor	3/1/2001
Ralph Triplett, Jr.	County Commissioner Woodward County	Governor	3/1/2002
David K. Griesel	Solid Waste Disposal Industry	Speaker of the House	3/7/2002
Steve Mason	Engineering	Speaker of the House	6/19/2001
Casey Elliott	Transportation	Speaker of the House	9/11/2003
Bill Torneten	Geology	President Pro Tempore of the Senate	3/1/2003
Tom Canfield	Political Subdivision	President Pro Tempore of the Senate	3/11/2001
Steve Landers	Industry Generating Solid Waste	President Pro Tempore of the Senate	3/1/2002
Jay Stout	General Public	Governor	3/1/2002

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## Water Quality Management Advisory Council

The Water Quality Management Advisory Council reviews and approves water quality rules and recommends changes to the Environmental Quality Board. The Council met four times in FY 2000. Several chapters of rules were revised and recommended for the Environmental Quality Board's approval. Chapters 605, 610, 611, 615, 616, 630, 631, 635, 641, 647, 648, 655 and 656 were all a part of the DEQ's "re-right/de-wrong" initiative. The language contained within these chapters was simplified; redundancies, descriptive statements and operational issues were deleted; state statute citations were removed and federal citations were adopted by reference. All unnecessary provisions were removed and standards for new technology were included when appropriate.

Chapter 647 requirements for land application of industrial wastewater and sludge were moved into Chapter 616. Requirements for land application of non-industrial wastewater were moved into Chapter 621.

Changes to Chapter 641 included a reduction in fees for small on-site sewage disposal systems in addition to establishing a permit by rule for all on-site sewage disposal systems except alternative systems which are part of Tier I permitting.

## Waterworks and Wastewater Works Advisory Council

The Waterworks and Wastewater Works Advisory Council reviews rules and recommends changes to the Environmental Quality Board. Three meetings were held during the year. Chapter 700, the Operator Certification rules, was revoked and replaced with Chapter 710 as part of the "re-right/de-wrong" process. One notable change was adding the requirement that non-transient, non-community public water supplies employ a certified operator. The majority of these types of systems are used at rural schools. The change will ensure that the operators of these types of systems have knowledge of public health issues related to providing safe drinking water to school children.

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## Water Quality Management Advisory Council

MEMBER	PROFESSIONAL REALM	APPOINTING OFFICIAL	TERM
Robert Johnston	Local Government	Speaker of the House	3/10/2003
Jeffrey Short	Engineering	Governor	3/1/2001
Marilyn Beilke	General Public	Governor	3/1/2002
Lawrence McLeroy	Rural Water District	Speaker of the House	3/19/2001
Lowell Hobbs	Agriculture	Speaker of the House	3/10/2003
Bill Pickens	Geology	President Pro Tempore of the Senate	3/1/2003
Bobby Latham	Industry	President Pro Tempore of the Senate	3/16/2002
Joseph C. Warren	Oil Field Related	President Pro Tempore of the Senate	3/1/2001
Orva Rothgeb	Environmental Organization	Governor	3/1/2003

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## Waterworks And Wastewater Works Advisory Council

MEMBER	PROFESSIONAL REALM	APPOINTING OFFICIAL	TERM
Rick Stebbens	OK Water Pollution Control Association	President Pro Tempore of the Senate	7/1/2003
Campbell W. Sasser	Waterworks Operator	Speaker of the House	6/30/2002
Dr. Tom Bates	Environmental Training Center/Higher Education	Governor	6/30/2001
Karl Potochnik	OK Rural Water Association	Speaker of the House	6/30/2002
William Roach	Wastewater Works Operator	Speaker of the House	1/25/2001
Jessee Vaughn	OK Rural Water Association	President Pro Tempore of the Senate	4/5/2002
David Poole	OK Water Pollution Control Association	President Pro Tempore of the Senate	6/30/2001
Gary Lippard	Waterworks Operator	Governor	1/25/2002
George A. Holmes	OK Municipal League	Governor	6/30/2003

## Board and Council Rulemaking, FY 2000

During FY 2000, the Environmental Quality Board took rulemaking actions affecting 15 different chapters of DEQ regulations. Except for Chapter Two rules relating to the general operation of the agency, all rule proposals were reviewed and recommended by the appropriate advisory council before presentation to the Board for adoption. As required by the Administrative Procedures Act, at least one rulemaking hearing was conducted for every rulemaking action.

Rules approved by the Board must be affirmatively approved by the Governor, and not disapproved by the Legislature, before becoming effective. Eight rules proposals adopted by the Board in June of 2000 are awaiting legislative review during the 2001 legislative session. All other rules adopted by the Board in FY 2000 received affirmative gubernatorial and tacit legislative approval.

As has been the case in recent years, rulemaking in FY 2000 continued to be largely a matter of clarification, simplification, streamlining, and conformance to changes in federal programs,

rather than of new initiatives. No new chapters of rules were adopted in FY 2000, except for those which replaced existing chapters as part of the Department's "re-right/de-wrong" rules simplification effort.

Among the most notable rule actions in FY 2000 were:

- Adoption of the last set of rules revisions necessary for DEQ to receive "Agreement State" status from the Nuclear Regulatory Commission.
- Adoption of rules to restore the previous one-hour ozone and particulate matter standards after a federal court invalidated new federal eight-hour standards.
- Adoption of state emission standards for existing hospital, medical and infectious waste incinerators.
- Adoption of rules to continue DEQ's efforts to streamline permitting processes where appropriate, by authorizing new general permits and permits by rule for on-site sewage disposal systems and septic system installers.

## Board and Council Rulemaking, FY 2000

RULES	SUBJECT MATTER	ADOPTED	TYPE	EFFECTIVE
002 DEQ Procedures	Local projects funding criteria	06/22/99*	emergency	08/03/99
			permanent	06/01/00
	Agreement State radiation license tiers	11/16/99	permanent	06/01/00
100 Air Pollution Control	Admin. fees; op. cert. and air qual. tier rule amds.	02/25/00	permanent	06/12/00
	On-site sewage tier rule amendment	06/20/00	permanent	pending**
	Medical waste incinerators	09/28/99	emergency	10/19/99
			permanent	06/01/00
	Update inc. by ref. and Re-right/De-wrong subch. 35	11/16/99	emergency	01/05/00
			permanent	06/01/00
	Re-right/De-wrong subch. 19, 21, 27	11/16/99	permanent	06/01/00
	Correct cross-ref. problem in subch. 23 and 24	02/25/00	emergency	04/10/00
	Restore former ozone/PM standards	02/25/00	emergency	04/10/00
			permanent	06/12/00
205 Hazardous Waste Mgt.	Re-right/De-wrong subch. 13; timing of billing	02/25/00	permanent	06/12/00
	Amendments regarding incinerator designs, etc.	06/20/00	emergency	07/24/00
			permanent	pending**
	Re-right/De-wrong subch. 9, 11, 33; reporting amds.	06/20/00	permanent	pending**
	Incorporation by reference corrections, etc.	06/22/99*	emergency	08/03/99
	Misc. amds. on mixing, buffer zones, records, etc.	06/22/99*	permanent	06/01/00
	Incorporation by reference update	02/25/00	emergency	04/10/00
		permanent	06/12/00	
220 Brownfields	Eligibility criteria for state funding sources	02/25/00	emergency	04/10/00
			permanent	06/12/00
400/410 Radiation Management	Re-right/De-wrong (replace Chap. 400 w/ Chap. 410)	11/16/99	permanent	06/01/00
605 Discharges (OPDES)	Re-right/De-wrong revisions	09/28/99	permanent	06/01/00
610/611 General Water Quality	Re-right/De-wrong (replace Chap. 610 w/ Chap. 611)	06/20/00	permanent	pending**
615/616 Industrial Wastewater	Re-right/De-wrong (replace Chap. 615 w/ Chap. 616)	02/25/00	permanent	06/12/00
620/621 General Water Quality	Re-right/De-wrong (replace Chap. 620 w/ Chap. 621)	06/20/00	permanent	pending**
630/631 PWS Operations	Re-right/De-wrong (replace Chap. 630 w/ Chap. 631)	02/25/00	permanent	06/12/00
635 Reservoir Sanitation	Re-right/De-wrong (chapter revoked)	06/20/00	permanent	pending**
641 On-Site Sewage Disposal	Reduce or eliminate some system/installer fees	02/25/00	permanent	06/12/00
	General permit and permit by rule additions	06/20/00	permanent	pending**
647/648 Sludge Management	Re-right/De-wrong (replace Chap. 647 w/ Chap. 648)	06/20/00	permanent	pending**
655/656 Water Pollution Control	Re/right/De-wrong (replace Chap. 655 w/ Chap. 656)	09/28/99	permanent	06/01/00
700/710 Operator Certification	Re-right/De-wrong (replace Chap. 700 w/ Chap. 710)	02/25/00	permanent	06/12/00

\* Although adopted in FY 1999, rules adopted on 06/22/99 became effective in FY 2000

\*\*Pending rules are subject to 2001 legislative review (06/01/2001 effective date is sought)

