

MINUTES
AIR QUALITY ADVISORY COUNCIL
June 19, 2019
TulsaTech – Owasso Campus
Owasso, Oklahoma

Official AQAC Approved
at October 16, 2019 meeting

Notice of Public Meeting – The Air Quality Advisory Council (AQAC) convened for its Regular Meeting at 9:00 a.m. on June 19, 2019, at the TulsaTech-Owasso Campus, 10800 North 140th East Avenue, Owasso, Oklahoma. Notice of the meeting was forwarded to the Office of Secretary of State on October 11, 2018. The agenda was posted at the facility and at the DEQ twenty-four hours prior to the meeting. Also, Ms. Beverly Botchlet-Smith acted as Protocol Officer and convened the hearings by the AQAC in compliance with the Oklahoma Administrative Procedures Act and Title 40 CFR Part 51 and Title 27A, Oklahoma Statutes, Sections 2-2-201 and 2-5-101 through 2-5-117. She entered the agenda and the Oklahoma Register Notice into the record and announced that forms were available at the registration table for anyone wishing to comment on any of the rules. Ms. Laura Lodes, Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

MEMBERS PRESENT

Gerald Butcher
Gary Collins
Robert Delano
Gregory Elliott
Jim Haught
Gary Keele II
Steve Landers
Jeffrey Taylor
Laura Lodes

MEMBERS ABSENT

None

DEQ STAFF PRESENT

Eddie Terrill
Beverly Botchlet-Smith
Cheryl Bradley
Leon Ashford
Madison Miller
Tad Alford

Others Present

Jonathan Truong
Jose Blanco
Phillip Fielder
Nancy Pearce
Quiana Fields
Cooper Garbe
Melanie Foster

OTHERS PRESENT

Deborah Reinhardt, Court Reporter

Approval of Minutes – Ms. Lodes called for a motion to approve the Minutes of the January 16, 2019 Regular Meeting. Mr. Butcher moved to approve and Dr. Delano made the second.

See transcript pages 4 - 5

Gerald Butcher	Yes	Gary Keele II	Yes
Gary Collins	Abstain	Steve Landers	Yes
Robert Delano	Yes	Jeffrey Taylor	Yes
Gregory Elliott	Yes	Laura Lodes	Yes
Jim Haught	Yes		

Chapter 100. Air Pollution Control

OAC 252:100-37. Control of Emission of Volatile Organic Compounds (VOCs)

252:100-37-27. Control of emission of VOCs from aerospace industries coatings operations [NEW]

OAC 252:100-39. Emission of Volatile Organic Compounds (VOCs) in Nonattainment Areas and Former Nonattainment Areas

252:100-39-47. Control of VOC emissions from aerospace industries coatings operations [AMENDED]

Appendix N. Specialty Coatings VOC Content Limits [REVOKED]

Appendix N. Specialty Coatings VOC Content Limits [NEW]

Mr. Cooper Garbe, Environmental Programs Specialist of the AQD, stated the Department is proposing to add a new section 252:100-37-27, Control of emission of VOCs from aerospace industries coatings operations, for existing or new aerospace vehicle and component coating operations at aerospace manufacturing, rework, or repair facilities. Additionally, the Department is proposing to amend 252:100-39-47 to correct minor typographical errors, incorporate the latest changes to the aerospace NESHAP, and ensure regulatory consistency with proposed section 252:100-37-27. Lastly, the Department is proposing to revoke Appendix N and replace it with a new Appendix N. Following a question by the Council and none by the public, Ms. Lodes called for a motion. Dr. Delano moved to approve and Mr. Butcher made the second.

See transcript pages 7 - 11

Gerald Butcher	Yes	Gary Keele II	Abstain
Gary Collins	Yes	Steve Landers	Yes
Robert Delano	Yes	Jeffrey Taylor	Yes
Gregory Elliott	Yes	Laura Lodes	Yes
Jim Haught	Yes		

Chapter 100. Air Pollution Control

OAC 252:100-1. General Provisions

252:100-1-2. Statutory Definitions [AMENDED]

252:100-1-3. Definitions [AMENDED]

Ms. Melanie Foster, Rules & Planning Section Manager of the AQD, stated the Department is proposing to amend 252:100-2 and -3 to correct a statutory citation, update the latest statutory publication date, and add, clarify, and correct definitions. Hearing no questions by the Council or by the public, Ms. Lodes called for a motion. Mr. Haught moved to approve and Dr. Delano made the second.

See transcript pages 11 - 17

Gerald Butcher	Yes	Gary Keele II	Yes
Gary Collins	Yes	Steve Landers	Yes
Robert Delano	Yes	Jeffrey Taylor	Yes
Gregory Elliott	Yes	Laura Lodes	Yes
Jim Haught	Yes		

Ms. Botchlet-Smith announced the conclusion of the hearing portion of the meeting.

See transcript pages 17

Presentation – Mr. Leon Ashford, Environmental Programs Specialist of the AQD, gave a presentation on anticipated changes to SC 13, Open Burning, to address requirements of recently passed legislation (SB 1005 Fire Safety procedures, and SB 882 Medical Marijuana).

Presentation – Mr. Garbe gave a presentation on anticipated changes to SC 39-49, Manufacturing of fiberglass reinforced plastic products.

Division Director's Report – Mr. Eddie Terrill, Division Director of the AQD, provided an update on other Division activities.

New Business – None

Adjournment – The next scheduled regular meeting is on Wednesday, October 16, 2019 in Oklahoma City. Meeting adjourned at 10:00 a.m.

Transcript and attendance sheet are attached as an official part of these Minutes.

REGULAR MEETING/HEARING
AIR QUALITY ADVISORY COUNCIL
HELD IN OWASSO, OKLAHOMA
ON JUNE 19TH, 2019

Prepared by: DEBORAH S. (DEBI) REINHARDT, CCR, CSR

<p>1 INDEX 2 3 CALL TO ORDER.....PAGE 3 4 ROLL CALL.....PAGE 3 5 APPROVAL OF MINUTES.....PAGE 5 6 PUBLIC RULEMAKING HEARING 4 A.....PAGE 6 7 PUBLIC RULEMAKING HEARING 4 B.....PAGE 11 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>Page 2 1 January 16th, 2019, regular meeting. 2 Do we have any questions or 3 comments on the minutes? 4 (There was no discernible 5 response.) 6 Hearing no questions or comments, 7 do we have a motion to approve the minutes? 8 MR. BUTCHER: I'll make that 9 motion to approve the minutes. 10 MS. LODES: Do I have a second? 11 DR. DELANO: Second. 12 MS. LODES: I have a motion and 13 a second. 14 Can you please call roll? Quiana, will you 15 please call roll? 16 MS. FIELDS: Mr. Butcher? 17 MR. BUTCHER: Yes. 18 MS. FIELDS: Mr. Collins? 19 MR. COLLINS: Abstain. 20 MS. FIELDS: Dr. Delano? 21 DR. DELANO: Yes. 22 MS. FIELDS: Mr. Elliot? 23 MR. ELLIOT: Yes. 24 MS. FIELDS: Mr. Haught? 25 MR. HAUGHT: Yes.</p>
<p>1 (Hearing commenced at 09:02 a.m.) 2 MS. LODES: I'd like to call 3 today's meeting to order. 4 Quiana, will you please call roll. 5 MS. FIELDS: Mr. Butcher? 6 MR. BUTCHER: Here. 7 MS. FIELDS: Mr. Collins? 8 MR. COLLINS: Here. 9 MS. FIELDS: Dr. Delano? 10 DR. DELANO: Here. 11 MS. FIELDS: Mr. Elliot? 12 MR. ELLIOT: Here. 13 MS. FIELDS: Mr. Haught? 14 MR. HAUGHT: Here. 15 MS. FIELDS: Mr. Keele? 16 MR. KEELE: Here. 17 MS. FIELDS: Mr. Landers? 18 MR. LANDERS: Here. 19 MS. FIELDS: Mr. Taylor? 20 MR. TAYLOR: Here. 21 MS. FIELDS: Ms. Lodes? 22 MS. LODES: Here. 23 MS. FIELDS: We have a quorum. 24 MS. LODES: The next item on 25 today's agenda is approval of the minutes from the</p>	<p>Page 3 1 MS. FIELDS: Mr. Keele? 2 MR. KEELE: Yes. 3 MS. FIELDS: Mr. Landers? 4 MR. LANDERS: Yes. 5 MS. FIELDS: Mr. Taylor? 6 MR. TAYLOR: Yes. 7 MS. FIELDS: Ms. Lodes? 8 MS. LODES: Yes. 9 MS. FIELDS: Motion passed. 10 MS. LODES: Beverly? 11 MS. BOTCHLET-SMITH: Good 12 morning, I'm Beverly Botchlet-Smith. I'm the 13 assistant director of the Air Quality Division, and 14 as such, I'll serve as a protocol officer for 15 today's hearings. 16 The hearings will be convened by 17 the Air Quality Council in compliance with the 18 Oklahoma Administrative Procedures Act and Title 40 19 of the Code of Federal Regulations, Part 51. 20 As well as the authority of Title 21 27-A of the Oklahoma statutes, section 2-2-201 and 22 sections 2-5-101 through 2-5-117. 23 Notice of the June 19th, 2019, 24 hearings were advertised in the Oklahoma Register 25 for the purpose of receiving comments pertaining to</p>

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1 the proposed OAC Title 252 chapter 100 rules as
2 listed on the agenda and will be entered into each
3 record along with the Oklahoma Register filing.
4 Notice of the meeting was filed
5 with the Secretary of State on October 11th, 2018.
6 The agenda was duly posted 24 hours
7 prior to the meeting at this facility, and at the
8 DEQ.
9 If you wish to make a statement,
10 it's very important for you to complete the form at
11 the registration table, and you will be called upon
12 at the appropriate time.
13 Audience members, please come to
14 the podium for your comments, and please state your
15 name.
16 At this time we'll proceed with what's marked
17 agenda item 4 A in your hearing agenda. This is
18 Chapter 100, Air Pollution Control OAC 252 100-37
19 Control of Emission of Volatile Organic Compounds or
20 VOCs. 252:100-37-27 Control of Emission of VOCs
21 from aerospace industry coatings operations.
22 And OAC 252:100-39. Emission of Volatile
23 Organic Compounds VOCs, in Nonattainment Areas and
24 Former Nonattainment Areas.
25 252:100-39-47. Control of VOC emissions from

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1 aerospace industries coatings operations.
2 Appendix N. Specialty Coatings for VOC Content
3 Limits. One to revoke.
4 And Appendix N. Specialty Coatings VOC Content
5 Limits new.
6 Mr. Cooper Garbe of our staff will be giving the
7 presentation.
8 Cooper?
9 MR. GARBE: Good morning, madam
10 chair, members of council and members of the public.
11 We are once again bringing before
12 you a proposal for updates to our aerospace coating
13 operations rule.
14 This proposal is the same one that
15 the council voted on at the January meeting.
16 These proposed rule changes were
17 presented before the Air Quality Advisory Council in
18 June. And October of 2018. And January of 2019.
19 And before the environmental quality board in
20 February 2019.
21 The changes -- the board acted in
22 favor of adoption at the February 2019 meeting. A
23 preliminary draft of proposed rule changes which
24 differed from the version approved by the Board, and
25 voted on by you, was inadvertently submitted for

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1 legislative review and therefore subsequently was
2 withdrawn from consideration.
3 To submit the correct rule proposal
4 for the final adoption, the department is
5 re-proposing the rule changes before the council
6 with no changes to the proposed findings from what
7 was voted on at the January 2019 council meeting.
8 Today, the department, once again,
9 asks the council for recommendation of the rules
10 before the board for permanent adoption.
11 MS. BOTCHLET-SMITH: At this
12 time -- I'm sorry. I thought you were through,
13 Cooper. Are you through?
14 MR. GARBE: (Indicating.)
15 MS. BOTCHLET-SMITH: At this
16 time, we'll take questions or comments from the
17 council.
18 UNIDENTIFIED SPEAKER: We can't
19 hear you --
20 (Discussion about ability to hear
21 speakers.)
22 MS. BOTCHLET-SMITH: Try that
23 again. Do we have any comments or questions from
24 the council?
25 (There was no discernible

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1 response.)
2 MR. LANDERS: So obviously when
3 the wrong version was sent, you can't just say, oh,
4 wait a minute, let me send over the right version.
5 I guess it has to go all the way back through the
6 process?
7 Obviously it does. I was curious.
8 MR. TERRILL: Madison, do you
9 want to explain the legal details. But the essence
10 of it is, yes, once it gets in the system you can't
11 withdraw it. Because we looked at numerous ways to
12 do that. And there was just no way to accomplish
13 it. So, Madison, you want to add to that?
14 MS. MADISON MILLER: Yes. So,
15 under the rules on rule-making, once we submit the
16 rules, after the board, we have 10 days to correct
17 it or to withdraw it and resubmit the correct
18 version. And when this was discovered, it was past
19 that due date. So the only option we had was to
20 withdraw.
21 MS. BOTCHLET-SMITH: Other
22 questions from the council?
23 (There was no discernible
24 response.)
25 MS. BOTCHLET-SMITH: Any

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1 questions or comments from the public?
2 (There was no discernible
3 response.)
4 MS. BOTCHLET-SMITH: Seeing
5 none, if there is nothing else from the council,
6 Laura, you can ask for a vote.
7 MS. LODES: The DEQ has -- the
8 DEQ has brought OAC Chapter -- OAC 252 Chapter
9 100-37. 252:100-37-27. 252:100-39. 252:100-39 47
10 and Appendix N, all to the council for approval.
11 Do I have a motion?
12 DR. DELANO: I -- motion to
13 approve it.
14 MR. BUTCHER: I'll second that.
15 MS. LODES: I have a motion and
16 a second.
17 Will you please call roll.
18 MS. FIELDS: Mr. Butcher?
19 MR. BUTCHER: Yes.
20 MS. FIELDS: Mr. Collins?
21 MR. COLLINS: Yes.
22 MS. FIELDS: Dr. Delano?
23 DR. DELANO: Yes.
24 MS. FIELDS: Mr. Elliot?
25 MR. ELLIOT: Yes.

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1 MS. FIELDS: Mr. Haught?
2 MR. HAUGHT: Yes.
3 MS. FIELDS: Mr. Keele?
4 MR. KEELE: Abstain.
5 MS. FIELDS: Mr. Landers?
6 MR. LANDERS: Yes.
7 MS. FIELDS: Mr. Taylor?
8 MR. TAYLOR: Yes.
9 MS. FIELDS: Ms. Lodes?
10 MS. LODES: Yes.
11 MS. FIELDS: Motion passed.
12 MS. BOTCHLET-SMITH: The next
13 item on today's agenda is number 4 B. This is
14 Chapter 100 Air Pollution Control OAC 252:100-1.
15 General Provisions. 252:100-1-2. Statutory
16 definitions. And 252:100-1-3. Definitions.
17 And Ms. Melanie Foster will be
18 giving the staff presentation.
19 MS. FOSTER: Good morning,
20 madam chair, members of the council, members of the
21 public, my name is Melanie Foster.
22 I am the Rules and Planning section
23 manager. And today I'm presenting proposed rule
24 changes to OAC 252 chapter 100, section 1.
25 In your rule packets you will see

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1 proposed changes to 1-2, the statutory definitions
2 and 1-3 definitions.
3 I will begin on page 1 with 1-2.
4 We are proposing to update the statutory
5 references to revise an incorrect citation.
6 Previously the rule had referenced 2-1-102, and
7 2-5-101.
8 The revision at 2-1-102 is merely a correction
9 to remove an unnecessary zero.
10 However, the second citation is being corrected
11 to 2-5-104, which is the definition section rather
12 than the incorrect 101.
13 We are also proposing to update the rule with
14 the most recent statutory publication date which is
15 2011.
16 Please note that no changes were made to either
17 of these statutes between 2002 and 2011, so this
18 change is not substantive, but will make it easier
19 for people to know that they're reviewing the
20 correct version of the statute if they happen to
21 have a hard copy.
22 Moving on to 1-3 on page 1. We are proposing
23 several definition changes. The first change occurs
24 in the definition of "best available control
25 technology" at the bottom of page 1. We are

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1 proposing to remove the word "division" before
2 "director."
3 As mentioned above in 1-2, the word director has
4 the meaning given to it in the statute, which is the
5 air quality division director. So this is not a
6 substantive change, but we have been working to
7 standardize these terms as we make updates in
8 sections.
9 The next proposed change occurs on page 7 under
10 the definition for "responsible official." This is
11 a substantive change. It recently came to our
12 attention that AQD had inadvertently truncated this
13 definition by omitting the phrase, "operation of one
14 or more manufacturing" when the definition was moved
15 from subchapter 8 to its current location in
16 subchapter 1 in 2003.
17 In your folders, you will find a copy of the
18 definition of "responsible official" as it existed
19 in 100-8-2 in 2003. The missing phrase is
20 highlighted. You can see how this line may have
21 been skipped over when transcribing the definition
22 into subchapter 1.
23 For accuracy and clarity, this phrase should be
24 re-inserted into the definition of "responsible
25 official."

<p style="text-align: right;">Page 14</p> <p>1 The third proposed change occurs on page 8. The 2 definition for "temperature inversion" was simply 3 moved, so that it is now in the correct alphabetical 4 order. 5 The fourth and final proposed change, also on 6 page 8, is to add a new definition for the term 7 "Title V Permit," as follows; Title V Permit means, 8 unless the context suggests otherwise, an operating 9 permit for part 70 sources. 10 When AQD solicited suggested rule revisions last 11 year, Mr. Don Whitney suggested the term "Title V" 12 be added. 13 As Mr. Whitney mentioned in an email to AQD, 14 Title V is a common term used to describe major 15 sources by -- in the DEQ, EPA, and industry. 16 However, our rules use the term Part 70. 17 The proposed definition for Title V Permit is being 18 added mostly for clarification purposes. However, 19 this term does appear in the definition for 20 applicable requirement in 100-8-2. 21 It is our belief that this new definition 22 will be seen as more or less synonymous with the 23 Part 70 operating permit and will aid the regulatory 24 community, which may be more used to the Title V 25 terminology.</p>	<p style="text-align: right;">Page 16</p> <p>1 Do I have a motion? 2 MR. HAUGHT: Yeah, I'll move 3 that the council accept the changes recommended to 4 252:100-1 proposed by the agency. 5 DR. DELANO: I'll second. 6 MS. LODES: I have a motion and 7 a second. Quiana, will you please call roll. 8 MS. FIELDS: Mr. Butcher? 9 MR. BUTCHER: Yes. 10 MS. FIELDS: Mr. Collins? 11 MR. COLLINS: Yes. 12 MS. FIELDS: Dr. Delano? 13 DR. DELANO: Yes. 14 MS. FIELDS: Mr. Elliot? 15 MR. ELLIOT: Yes. 16 MS. FIELDS: Mr. Haught? 17 MR. HAUGHT: Yes. 18 MS. FIELDS: Mr. Keele? 19 MR. KEELE: Yes. 20 MS. FIELDS: Mr. Landers? 21 MR. LANDERS: Yes. 22 MS. FIELDS: Mr. Taylor? 23 MR. TAYLOR: Yes. 24 MS. FIELDS: Ms. Lodes? 25 MS. LODES: Yes.</p>
<p style="text-align: right;">Page 15</p> <p>1 Please note, though, that this definition is 2 not identical to the term Part 70 Permit, which 3 could include construction permits and other permits 4 issued to Part 70 sources. 5 Notice of the proposed rules changes was 6 published in the Oklahoma Register on May 15th, 7 2019, and no comments were received. 8 We request the council recommend the changes 9 to subchapter 1 to the Environmental Quality Board 10 for adoption as permanent rules. 11 Thank you. 12 MS. BOTCHLET-SMITH: Do we have 13 any questions from the council? 14 (There was no discernible 15 response.) 16 MS. BOTCHLET-SMITH: Any 17 questions or comments from the public? 18 (There was no discernible 19 response.) 20 MS. BOTCHLET-SMITH: Hearing 21 none. 22 MS. LODES: The agency has 23 recommended that we approve the changes to OAC 24 chapter 252:100-1, general provisions. The 25 252:100-1-2. And 252:100-1-3.</p>	<p style="text-align: right;">Page 17</p> <p>1 MS. FIELDS: Motion passed. 2 MS. BOTCHLET-SMITH: That 3 concludes the hearing portion of today's meeting. 4 (Record concluded at 09:18 a.m.) 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

1 C E R T I F I C A T E
2
3 STATE OF OKLAHOMA)
)
4 COUNTY OF TULSA)
5
6 I, Deborah S. (Debi) Reinhardt, Certified
7 Shorthand Reporter, for the State of Oklahoma,
8 certify that the above and foregoing hearing was by
9 me taken in stenotype and thereafter transcribed and
10 is a true and correct transcription of the hearing,
11 as corrected by Qiana Fields; that the hearing was
12 held on June 19th, 2019, in Owasso, Oklahoma; that I
13 am not an attorney for nor relative of any of said
14 parties, nor otherwise interested in the event of
15 said action.
16 IN WITNESS WHEREOF, I have hereunto set my
17 hand and seal of office this 2nd day of July, 2019.
18
19
20 *Debi Reinhardt*
21 Deborah S. (Debi) Reinhardt, CSR #1807
22 For the State of Oklahoma
23
24
25



AIR QUALITY ADVISORY COUNCIL

Attendance Record

June 19, 2019

Owasso, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Quiana Fields	DEQ		
MELANIE FOSTER	DEQ		
Beverly Bechtel-Smith	DEQ		
Eric Terrell	DEQ		
LEON ASHFORD	DEQ		
Cheryl Bradley	DEQ		
Madison Miller	DEQ		
Nancy Pearce	DEQ		
Cooper Barber	DEQ		
Kathy Koon	WFEL		
Gerald Butcher	WFEL		
Laura Codes	AQC		
Garry Keel	McAfee & Telf	918-574-3037	
Gray Elliott	AQAC		
Jim Haught	AQC		
Bud Ground	EFO		
Jeremy Jewell	Trinity		
Shannon Chatwin	918-408-5808	Teacher - AP Env. Sci @ Owasso H.S	
Cary Collins	AQC	ccollins@cfindustries.com	
Jeff Taylor	DEQ		
BOB JOYCE	McAfee & Telf		
JOSE BLANCO	DEQ		
Jonathan Tarr	DEQ		
M. Fields	DEQ		
Stacy Landers	AQC		
James Jackson	Muscogee Creek Nation		



AIR QUALITY ADVISORY COUNCIL

Attendance Record

June 19, 2019

Owasso, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Brett Sands	MCNOES	
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