

**REGULAR MEETING/HEARING AGENDA
AIR QUALITY ADVISORY COUNCIL
October 17, 2024, 9:00 a.m.
Department of Environmental Quality
707 North Robinson Avenue
Oklahoma City, OK 73102**

Please turn off cell phones



1. **Call to Order** – Laura Lodes, Chair
2. **Roll Call** – Quiana Fields
3. **Approval of Minutes** – July 24, 2024 Regular Meeting
[MINUTES APPROVED]
4. **Meeting Schedule for Calendar Year 2025** – Discussion and action by Council
[SCHEDULE APPROVED WITH CHANGE: OCTOBER 16, 2025 FOR 3RD MEETING]
5. **Public Rulemaking Hearing**
 - A. **Chapter 100. Air Pollution Control**
 - Subchapter 2. Incorporation by Reference [AMENDED]**
 - Appendix Q. Incorporation by Reference [AMENDED]**

The Department is proposing to update OAC 252:100, Appendix Q, Incorporation by Reference. In addition, the Department is proposing to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q.

1. Presentation – Jared Milano, EPS, Rules & Planning Section, AQD
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[SC 2 AND APPENDIX Q RECOMMENDED TO ENVIRONMENTAL QUALITY BOARD]

- B. **Subchapter 8. Permits for Part 70 Sources and Major New Source Review (NSR) Sources**
 - Part 5. Permits for Part 70 Sources**
 - 252:100-8-6 [AMENDED]**

The Department is proposing to amend existing rule language in OAC 252:100-8-6. Permit Content, in response to the U.S. Environmental Protection Agency's (EPA's) recently promulgated

changes to program requirements pursuant to the Federal Register notice entitled "*Removal of Title V Emergency Affirmative Defense Provisions From State Operating Permit Programs and Federal Operating Permit Program*," 88 Fed. Reg. 47029 (July 21, 2023). The gist of this rule proposal and the underlying reason for the rulemaking is to comply with federal requirements by removing "affirmative defense" provisions in Oklahoma's Part 70 air quality permit program.

1. Presentation – Brooks Kirlin, P.E., Rules & Planning Section, AQD
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[SC 8-6 RECOMMENDED TO ENVIRONMENTAL QUALITY BOARD]

- C. Subchapter 5. Registration, Emission Inventory and Annual Operating Fees**
252:100-5-1.1. Definitions [AMENDED]
252:100-5-2.1. Emission inventory [AMENDED]

Subchapter 7. Permits for Minor Facilities

- 252:100-7-1.1. Definitions [AMENDED]**
252:100-7-2.1. Minor permits for greenhouse gas (GHG) emitting facilities
252:100-7-15. Construction permit [AMENDED]
252:100-7-60.5 Oil and natural gas sector [AMENDED]
252:100-7-60.6. Emergency engine facilities [AMENDED]
252:100-7-60.7. Gasoline dispensing facilities and gasoline dispensing facilities with emergency engines [AMENDED]

Subchapter 8. Permits for Part 70 Sources and Major New Source Review (NSR) Sources

- 252:100-8-2. Definitions [AMENDED]**
252:100-8-4. Requirements for construction and operating permits [AMENDED]
252:100-8-5. Permit applications [AMENDED]
252:100-8-31. Definitions [AMENDED]
252:100-8-33. Exemptions [AMENDED]

The Department is proposing to clarify source eligibility criteria for the oil and natural gas sector Permit By Rule (PBR) and ensure that the current PBR allows facilities potentially subject to NSPS Subpart OOOOb to take legally and practically enforceable (LPE) limits to avoid applicability of the federal requirements for certain equipment. The proposed permanent rule amendments would replace the currently effective emergency rule. Additional changes will ensure that greenhouse gases (GHGs) are exempt from various requirements except for the federal requirement for a BACT analysis under the (major source) PSD program where another pollutant (non-GHG) triggers the requirement for a PSD permit and GHG emissions will increase by 75,000 tons CO₂e. Lastly, proposed changes authorize electronic submission of applications and clarify requirements applicable to minor source facilities that are later required by federal rule to obtain major source (Title V) operating permits.

1. Presentation – Tom Richardson, P.E., Rules & Planning Section, AQD
2. Questions and discussion by the Council

3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[SC 5, 7, AND 8 RECOMMENDED TO ENVIRONMENTAL QUALITY BOARD]

D. Subchapter 49. Oklahoma Emission Reduction Technology Rebate Program [AMENDED]

252:100-49-1 Purpose and Applicability [AMENDED]

252:100-49-3 Definitions [AMENDED]

252:100-49-5 Program criteria and qualification determination [AMENDED]

The Department is proposing to amend Subchapter 49, Oklahoma Emission Reduction Technology Rebate Program in OAC 252:100, to implement recent changes to applicable provisions of the Oklahoma Emission Reduction Technology Incentive Act, 68 O.S. § 55006, et seq. DEQ and the Oklahoma Tax Commission jointly administer the "Oklahoma Emission Reduction Technology Rebate Program" to provide an incentive for "Emission Reduction Projects" – implementation of new and innovative technologies to reduce air pollutant emissions from oil and gas facilities. The gist of this rule proposal and the underlying reason for the rulemaking is to implement the Department's responsibilities under the recently revised Oklahoma Emission Reduction Technology Incentive Act.

1. Presentation – Brooks Kirlin, P.E., Rules & Planning Section, AQD
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

[SC 49 RECOMMENDED TO ENVIRONMENTAL QUALITY BOARD]

6. Presentation – Monitoring Update – Bryan Sims, EPM, Monitoring Section West, AQD & Ryan Biggerstaff, EPM, Monitoring Section East, AQD

7. Presentation – Fiscal Report – Dan Melton, Comptroller, Administrative Services Division

8. Division Director's Report – Kendal Stegmann, Division Director, AQD

9. New Business – Any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

10. Adjournment – The next regular meeting is tentatively scheduled for Wednesday, April 30, 2025, in Oklahoma City, Oklahoma.

Should you have a disability and need an accommodation, please notify the DEQ Air Quality Division three days in advance at 405-702-4177. Hearing impaired persons may call the text telephone (TDD) Relay Number at 1-800-722-0353 for TDD machine use only.