

MESSAGE FROM
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2020 ANNUAL REPORT

Oklahoma Department of Environmental Quality



Message from the Executive Director



WICHITA MOUNTAINS



What a year this has been! When fiscal year 2020 began, DEQ had just rolled out its new website and was well on its way to implementing the strategic plan, Leading the Way, to focus on customer service and efficiency. The Environmental Education program was gearing up for a full slate of programs to help Oklahoma's students understand the importance of protecting the state's vital natural resources. In addition to writing permits, performing inspections, and investigating complaints, DEQ staff was hard at work with many volunteer efforts to keep Oklahoma's environment clean.

Then...Covid-19 happened, and the world changed.

Instantly, our top priority became the well-being of our employees, our customers, and all Oklahomans. Almost overnight, nearly all DEQ employees transitioned to a telework status and innovation became the norm to ensure vital services continued. We established a dedicated website to provide up-to-date information on actions taken during the pandemic, expiring licenses and certifications were temporarily extended, staff continued to receive and review permit applications, and our lab stayed open to receive and analyze water samples to ensure public and private water supplies were safe. The core responsibility of protecting Oklahoma's natural resources continued unabated.

I am incredibly proud of the perseverance and dedication of all DEQ employees to protect our environment and provide critical services to the citizens and businesses of Oklahoma during such unprecedented times. As always, DEQ employees go above and beyond for you.

Sincerely,
Scott Thompson

TALIMENA SCENIC DRIVE



Environmental Quality Board

The Oklahoma Legislature established the Environmental Quality Board (EQB), comprised of Oklahoma citizens, to provide guidance to the DEQ. Board members have a variety of backgrounds in manufacturing, hazardous waste management, solid waste management, petroleum industry, agriculture, local government, engineering, conservation, rural water systems, and statewide environmental groups. These members are appointed by the Governor, confirmed by the Senate and serve a five-year term. Responsibilities of the board are the appointment of DEQ’s Executive Director and the adoption of rules that determine operation of the department.



Perry Mark Barton



Shannon Ferrell



David Griesel



Tracy Hammon



Kenneth L. Hirshey, Jr



James Kinder



Alexandria Kindrick



Jan Kunze



Steve Mason



Tim Munson



Michael Paque



Billy G. Sims

Not Pictured: John Easton

WICHITA MOUNTAINS



Environmental Board Rulemaking Activities

Chapter	Council	Subject	Approved	Type	Effective
100 SC 1	AQAC	Amended 252:100-1-2, Statutory definitions, to correct an incorrect statutory citation and update the latest statutory publication date. Also amended 252:100-1-3, Definitions, to make a minor clarification to a definition, correct a truncated definition, add a definition for clarification, and alphabetically re-order a definition.	EQB 9-10-19 Governor 6-25-20	Permanent	9/15/19
100 SCs 37,39, Appendix N	AQAC	Amended 252:100-37-27, 252:100-39-47, and Appendix N to provide the aerospace industry with updated requirements that better reflect current aerospace industry coating formulations and practices, and to make those rules applicable statewide. This ensures the aerospace industry in Oklahoma can operate as necessary with standards specific to the industry and consistent with rules already in place for Tulsa County to reduce the formation of ozone.	EQB 9-10-19 Governor 6-25-20	Permanent	9/15/19
100 SCs 2, 13, 39, Appendix Q	AQAC	Amended OAC 252:100, Appendix Q, Incorporation by Reference, to incorporate the latest changes to U.S. Environmental Protection Agency (EPA) regulations. Amended Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q. Amended OAC 252:100-13, Open Burning, and added OAC 252:100-13-8.1, to conform DEQ rules to statutory changes enacted in the 2019 legislative session. Amended OAC 252:100-13-2, Definitions, to reflect an update in terminology from “watch” to “alert” for ozone and particulate matter notifications. Amended OAC 252:100-13-7(1), Fire training, to clarify specific inspection and removal requirements, as provided for in the Oklahoma Clean Air Act. Revoked OAC 252:100-39-49, Manufacturing of fiberglass reinforced plastic products, to reduce the regulatory burden on facilities by eliminating an antiquated rule where a federal regulation now sufficiently limits emissions of air pollutants.	EQB 11-8-19 Governor 6-25-20	Permanent	9/15/19
410 SC 1, 10	RMAC	(1) Amended OAC 252:410-1-7(a) to change the date for incorporation of federal regulations by reference. (2) Amended the regulations related to the medical use of byproduct material to conform the Oklahoma rules to the updated federal regulations which includes revisions to 10 CFR Parts 30, 32 and 35. (3) Amended OAC 252:410-10-32 by renaming subparts C and D and moving Sections 32.72 and 32.74 from subpart B to subpart C because they do not cover generally licensed items. (4) Amended OAC 252:410-10-1 OAC 252:410-10-40 to correct an error made when 10 CFR 40 was adopted.	EQB 11-8-19 Governor 6-25-20	Permanent	9/15/19
100 SC 17	AQAC	Amended OAC 252:100-17, Incinerators, to clarify the applicability of Part 9, Commercial and industrial solid waste incineration units (CISWI), to existing air curtain incinerators, which updates the rule in accordance with recent changes to the federal emission guidelines in 40 CFR Part 60, Subpart DDDD.	EQB 2-21-20 Governor 6-25-20	Permanent	9/15/19
205 SCs 3, 5	HWMAC	Amended DEQ hazardous waste rules to ensure consistency with the federal regulations by incorporating by reference the regulations found in 40 CFR Parts 124 and 260-279.	EQB 2-21-20 Governor 6-25-20	Permanent	9/15/19
515 SCs 19,27	SWMAC	Amended OAC 252:515 to revise potentially confusing regulations and to clarify deadlines related to cost estimates, specify deadlines for financial assurance mechanisms, and make a minor grammatical change related to dust control.	EQB 2-21-20 Governor 6-25-20	Permanent	9/15/19
641 SCs 1, 3, 5, 7, 9, 10, 12, 15, 21, 22, 23, Appendices C, E, F, M	WQMAC	Amended Water Quality rules to: (1) clarify the definitions of “Sewage”, (2) clarify ownership as it applies to on-site systems, (3) remove the building sewer construction requirements and reference the most current adoption of the Oklahoma Plumbing Code, (4) require the installation of an access manhole over the septic tank inlet baffle, (5) include language to allow the use of aerobic treatment systems for commercial small public facilities, increase the overall installation depth of the systems, and clarify the maintenance requirements, (6) amend the construction requirements for ET/A system to allow for a depth of installation range from 18-24 inches, (7) amend the drip installation requirements to include a daily pumping timeframe and clarify the drip pipe spacing requirements, (8) add closure requirements for lagoons and require signage for all small public lagoons, (9) add language that defines the timeframe a passing test score is valid as it applies to Certified Installers and Certified Soil Profilers and define the timeframe records are to be retained, (10) include language that references OAC 252:4-7 that addresses the refunding of permit fees, and (11) make other minor clarifications and corrections. Updated to include changes for clarity, reinserted the fee provision that was removed from the original proposed rules prior to submittal to the legislature, and provided notification provisions.	EQB 2-21-20 Governor 6-25-20	Permanent	9/15/19
710 SCs 1, 3, 5, 7, Appendices B, C	WQMAC	Amendments of Water Quality rules to enhance the professional development of operators in Oklahoma by (1) allowing DEQ to approve a variety of training opportunities that minimize the financial impact on operators and employers and help rural operators to achieve the required training hours; (2) allowing environmental professionals, such as DEQ staff and consulting engineers, to obtain a special non-operational certification to demonstrate a fundamental understanding of operator knowledge; and (3) modifying language to change the time of approval and review for training courses from 30 to 42 days. Also amended to incorporate the language of Senate Bill No. 670 that provides for certification reciprocity for military personnel being transferred to Oklahoma. Appendix C has been added to clarify the number of Professional Development Hours needed for each certificate level.	EQB 2-21-20 Governor 6-25-20	Permanent	9/15/19



Air Quality Advisory Council

MOUNT SHERIDAN

Member	Professional Realm	Appointing Official	Term Expires
Matt Caves	Electric Utilities	Governor	6/15/2027
Garry L. Keele	General Public	Governor	6/15/2026
Gary Collins**	Agriculture	Governor	6/15/2024
Gregory Elliott	Petroleum	Governor	6/15/2026
John Privrat	Transportation	Governor	6/15/2021
Laura Lodes*	Engineering	Governor	6/15/2027
Robert D. Delano, Ph.D.	Higher Education	Governor	6/15/2025
Stephen Landers	General Industry/Manufacturing	Governor	6/15/2023
Jeffrey P. Taylor	Local Government	Governor	6/15/2022

*Chair **Vice Chair

The Air Quality Advisory Council (AQAC) 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 EQB. Upon EQB adoption, the rules proceed to the state Legislature and Governor for final approval and adoption.

AQAC members are appointed by the Governor for seven-year terms and represent a range of related professions as set forth in the Oklahoma Statutes. This year the council voted to retain Laura Lodes, representing the engineering profession, as Chair, and Gary Collins, representing the agriculture industry, as Vice Chair for the 2020 calendar year. The Council welcomed two new members this year. John Privrat was appointed to represent the transportation sector, taking over the unexpired term of Jim Haught, who resigned in January 2020. After eight years of service, Gerald Butcher retired from the Council. His replacement, Matt Caves, was appointed to represent the electric utility industry.

Three meetings were held during state FY 2020. At the October 2019 meeting in Oklahoma City, the AQAC recommended for adoption the annual update of Appendix Q, Incorporation By Reference, to incorporate the latest modifications to federal regulations, and updated 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 relating primarily to New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) that will be enforced by the state.

Additionally, at the October meeting, the AQAC recommended for adoption by the EQB changes to Oklahoma Administrative Code (OAC) 252:100-13, Open Burning, to conform the DEQ rules to statutory changes enacted in the 2019 legislative session. A new section, 252:100-13-8.1, was added to incorporate statutory changes which added a provision for open burning of certain medical marijuana plant parts, and modified when an air curtain incinerator (ACI) is required. An amendment to Section 13-2, Definitions, changed the terminology from “watch” to “alert” for ozone and particulate matter notifications. Section 13-7(1), Fire training, was amended to clarify specific inspection and removal requirements as provided for in the

Oklahoma Clean Air Act. Finally, DEQ amended OAC 252:100-39 to revoke Section 49, Manufacturing of fiberglass reinforced plastic products, in order to ease the regulatory burden on applicable facilities by revoking an outdated rule that was dually regulating alongside the federal NESHAP Subpart WWWW.

The second meeting of FY-20 was held in January 2020 in Oklahoma City. At that meeting, the AQAC recommended to the EQB for adoption of new amendments to OAC 252:100-17, Incinerators, to clarify the applicability of Part 9, Commercial and industrial solid waste incineration units (CISWI), to existing air curtain incinerators. The changes to Subchapter 17 will be included as part of the required update to Oklahoma’s Section 111(d)/129 plan. This rulemaking is intended to update the rule in accordance with recent changes to the federal emission guidelines in 40 CFR Part 60, Subpart DDDD. Also at the January meeting, the AQAC recommended amendments to OAC 252:100-39-4, Exemptions, to remove an incorrect citation to a revoked rule and recommended amendments to OAC 252:100-39-16, Petroleum refinery process unit turnaround, to update the timeframe listed as the non-oxidant season.

All rules adopted by the Council for the October 2019 and January 2020 meetings were subsequently approved by the EQB and approved by the legislature and Governor. Those rules will go into effect on September 15, 2020. The third and final meeting of FY 2020 was held in June 2020 using an entirely virtual meeting format. Rules considered at that meeting were deferred to the October 2020 Council meeting. The proposals include significant changes to Chapter 4 and Chapter 100 rules to remove obstacles in obtaining approval from EPA for relevant portions of Oklahoma’s State Implementation Plan (SIP) relating to the Department’s issuance process and public participation procedures for New Source Review (NSR) construction and Title V operating permits, to help ensure that the Department retains approval of these programs.

Also considered at the June meeting were several changes to Chapter 110, Lead-Based Paint Management, to update the rule in accordance with recent changes to the federal lead-based paint poisoning prevention requirements and to provide reciprocity for active duty military service members and their spouses.



Hazardous Waste Management Advisory Council

Member	Professional Realm	Appointing Official	Term Expires
Debra Smith	Political Subdivision	Governor	3/1/2020
Noble Stanfield	Statewide Non-Profit Environmental Association	Governor	3/1/2021
Bob Kennedy	Industry	Governor	3/1/2020
Wesley Anderson	Industry Generating Hazardous Waste	Pro Tempore	2/13/2021
Kenneth Ede	General Public	Pro Tempore	6/30/2021
Lyndel Gibson	Political Subdivision	Pro Tempore	9/30/2022
Terry Vandell	Geology	Speaker of the House	3/31/2019
Ray Reaves**	Engineering	Speaker of the House	3/31/2021
Lee Grater*	Hazardous Waste Industry	Speaker of the House	3/31/2020

*Chair

**Vice Chair

The Hazardous Waste Management Advisory Council met on July 18, 2019, and October 10, 2019, in Oklahoma City. The primary purpose of the July meeting was to preview upcoming rule proposals. The primary purpose of the October meeting was a council vote to approve the annual Incorporation by Reference (IBR) update. The primary IBR intent was to change the IBR date to 2019 to ensure equivalency with the federal program. Specific rule changes included new EPA rules related to vehicle airbags and new rules involving pharmaceutical wastes. There were also technical corrections made to existing state rules, to ensure that Oklahoma's hazardous waste rules are at least equivalent to the federal rules. The division made a budget presentation, meeting dates were set for next year, and the meeting was adjourned.

Hazardous Waste Fund

The Department of Environmental Quality Hazardous Waste Fund is authorized by the Hazardous Waste Fund Act, 27A O.S. § 2-7- 301 et seq. There was \$37,319 received in income to the Hazardous Waste Fund in FY 2020, derived from administrative penalties associated with violations of the Oklahoma Hazardous Waste Management Act, 27A O.S. § 2-7-101 et seq. According to Section 2-7-304 of the Hazardous Waste Fund Act, monies in the Hazardous Waste Fund may be used for protection of public health and safety, basic emergency response training and protective equipment, environmental response and remediation, and assistance to local governments with development of emergency response plans. In FY 2020, DEQ used these funds to provide mercury collection and disposal services for 30 Oklahoma households.



INDIAN BLANKET WILDFLOWERS



Water Quality Management Advisory Council

Solid Waste Fees Budgeted & Expended

Member	Professional Realm	Appointing Official	Term Expires
Jon Nelson	General Public	Governor	3/1/2020
Mary Mach	Environmental Organization	Governor	3/1/2021
Willard B. Smith	Engineering	Governor	3/1/2022
Brian Duzan*	Private Laboratory	Governor	3/1/2020
Rick Moore	Industry	Pro Tempore	4/2/2023
Steve Sowers	Oil Field Related	Pro Tempore	3/2/2021
Duane L. Winegardner**	Geology	Pro Tempore	2/19/2021
Robert Carr, Jr.	Waterworks or Wastewater Works Operator/Municipal	Pro Tempore	10/31/2022
Debbie Wells	Rural Water District	Speaker of the House	6/30/2019
Terry Wyatt	Agriculture	Speaker of the House	6/30/2019
Vacant	Local Government	Speaker of the House	
Mark Matheson	Waterworks or Wastewater Works Operator/Rural District	Speaker of the House	6/30/2019

*Chair

**Vice Chair

The Water Quality Management Advisory Council (WQMAC) is made up of 12 members, who are appointed for three-year terms and who represent a wide variety of interested parties. Four members are appointed each by the Governor, the Speaker of the House, and the President Pro Tempore of the Senate. WQMAC typically meets four times a year; 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 EQB. Currently, 23 chapters of rules are under the authority of WQMAC. These include regulations for laboratory accreditations,

laboratory services, industrial and municipal wastewater, general water quality, wastewater lagoon and land application systems, pretreatment, minor public water supply, public water supply, water and wastewater construction standards, biosolids, water reuse, drinking water state revolving fund, small public and private sewage systems, septage pumpers and transporters, underground injection control, implementation of water quality standards, and waterworks and wastewater works operator certification.

During FY 2020, the WQMAC met on October 1, 2019, and January 7, 2020. The Council passed rule changes to Chapters 641 and 710.

TURNER FALLS

FY 2020 Income (receipts for 07/01/2019 - 6/30/2020)

\$6,302,211

	FY 2020 Budget for Solid Waste Program	FY 2020 Expenditures as of 08/27/20	FY 2020 Remaining Encumbrances
Salaries and other Compensation Expenses	\$3,234,443	\$3,553,582	-
Travel Expenses	\$30,050	\$36,964	\$1,797
Administrative Expenses	\$301,110	\$235,980	\$41,490
Lab Equipment, Furniture and Building Construction, and Air Monitoring Sites	\$45,954	\$47,635	-
Indirect Costs (FY2020 approved rate is 28.07%)	\$895,599	\$997,490	
Professional Services/Local Governments and Nonprofit Projects and Programs			
SWRINO/Solid Waste Research Institute	\$95,000	\$93,405	-
Oklahoma County Circuit Engineering District Board Admin	\$35,000	\$35,000	-
Keep Oklahoma Beautiful	\$130,000	\$93,100	\$1,900
Sustainable Tulsa	\$60,000	\$60,000	-
Oklahoma City Beautiful	\$45,000	\$45,000	-
Okmulgee Co Conservation Dist	\$150,000		
Community Based Environmental Protection	\$500,000	\$441,997	\$ 132,441
Projects to Implement County Plans	\$620,000	\$620,000	
Metropolitan Environmental Trust		\$40,000	
Other solid waste projects TBD as funds exist	\$60,000		
Recycling Equipment	\$200,000	\$236,741	\$ 23,659
Total Budget for Contracts	\$1,895,000	\$1,665,242	\$ 158,001
TOTALS	\$6,402,156	\$6,536,893	\$201,287

* Other solid waste projects were allowed in previous budgets due to reserve funds. Reserve funds are generally one-time unless excess within SolidWaste occurs from previous FY.

**DEQ's revolving fund was reduced \$6 million from HB 2765 Sec 121 to begin FY2020

FY 2021 Budget for Solid Waste Program	
Salaries and other Compensation Expenses	\$3,052,612
Travel Expenses	\$99,962
Administrative Expenses	\$293,418
Lab Equipment, Furniture and Building Construction, and Air Monitoring Sites	\$24,430
Indirect Costs (FY2021 rate is 25.74%)	\$785,742
Professional Services/Local Governments and Nonprofit Projects and Programs	
Oklahoma County Circuit Engineering District Board Admin	\$35,000
Environmental education technical/professional services	\$300,000
Local Govts Misc Projects	\$300,000
Community Based Environmental Protection	\$450,000
Projects to Implement County Plans	\$620,000
Recycling Equipment	\$200,000
Total Budget for Contracts	\$1,905,000
TOTALS	\$6,161,165

* Other solid waste projects were allowed in previous budgets due to reserve funds. Reserve funds are generally one-time unless excess within Solid Waste occurs from previous FY. Solid Waste covers planned shortfalls in SARA Tier III.

Solid Waste Management Advisory Council

The Solid Waste Management Advisory Council (SWMAC) serves as the initial rulemaking body for Solid Waste Management within the Land Protection Division and operates under authority of the Oklahoma Solid Waste Management Act. The SWMAC holds public hearings, reviews solid waste issues, and provides expertise about various solid waste issues. All solid waste rules and regulations must first be reviewed and approved by the SWMAC before being recommended to the EQB.

Once approved by the EQB, the rules proceed to the Legislature and the Governor for final approval. The SWMAC is composed of 10 members who represent specific areas of expertise as described by 27A O.S. 2-2-201(E), in the Oklahoma Environmental Quality Code. During FY 2020, the SWMAC met on July 11, 2019, September 12, 2019, and January 16, 2020. The Council recommended rule changes to Chapter 515 related to cost estimates and financial assurance.

Member	Professional Realm	Appointing Official	Term Expires
Greg Phillips	Solid Waste Incineration Waste-To-Energy Industry	Governor	6/30/2022
MaryJo (Jody) Reinhart	Statewide Environmental Organization	Governor	3/1/2022
Ilda Hershey	General Public	Governor	3/1/2020
Rodney Cleveland	County Commissioner	Governor	3/1/2021
Thomas Lazarski	Industry Generating Solid Waste	Pro Tempore	3/16/2020
Jim Linn	Political Subdivision	Pro Tempore	3/1/2022
Bill Torneten	Geology	Pro Tempore	3/1/2021
Brenda Merchant**	Transportation	Speaker of the House	12/4/2020
M. Todd Adcock	Solid Waste Disposal Industry	Speaker of the House	3/7/2020
Jeffrey A. Shepherd*	Engineering	Speaker of the House	10/31/2019

*Chair **Vice Chair

CANOLA FIELD

Radiation Management Advisory Council

The Radiation Management Advisory Council met in Tulsa on September 26, 2019. The Council members approved changes to the DEQ rules for radiation use in medicine that are required to maintain compatibility with federal rules. Due to an administrative oversight

in the preparation for the March meeting, the staff asked the Council to reapprove the rule change from March 2019 to correct an error in the DEQ rules. Meeting dates for 2020 were set.

Member	Professional Realm	Appointing Official	Term Expires
Vacant	Industry Which Uses Sources of Radiation	Governor	
Karen Jennings**	Environmental Organization	Governor	7/1/2021
Jeffrey Lux	Engineering Profession	Governor	7/1/2020
Christopher Honigsberg	General Public	Pro Tempore	4/30/2020
Wayne Conway	Industrial Radiography	Pro Tempore	3/3/2022
George MacDurmon*	Faculty of Institute of Higher Learning of University Status	Pro Tempore	1/4/2021
Chad Mashburn	Petroleum Industry	Speaker of the House	6/30/2020
Charles Shepherd	Transportation Industry	Speaker of the House	6/30/2019
Shawn Heldebrandt	Medical Industry	Speaker of the House	6/30/2021

*Chair **Vice Chair

GREAT SALT PLAINS



Employees of the Quarter & Mission Statement



1st Quarter

Rick Felty



2nd Quarter

Laura Jardine



3rd Quarter

Daniel Ross



4th Quarter

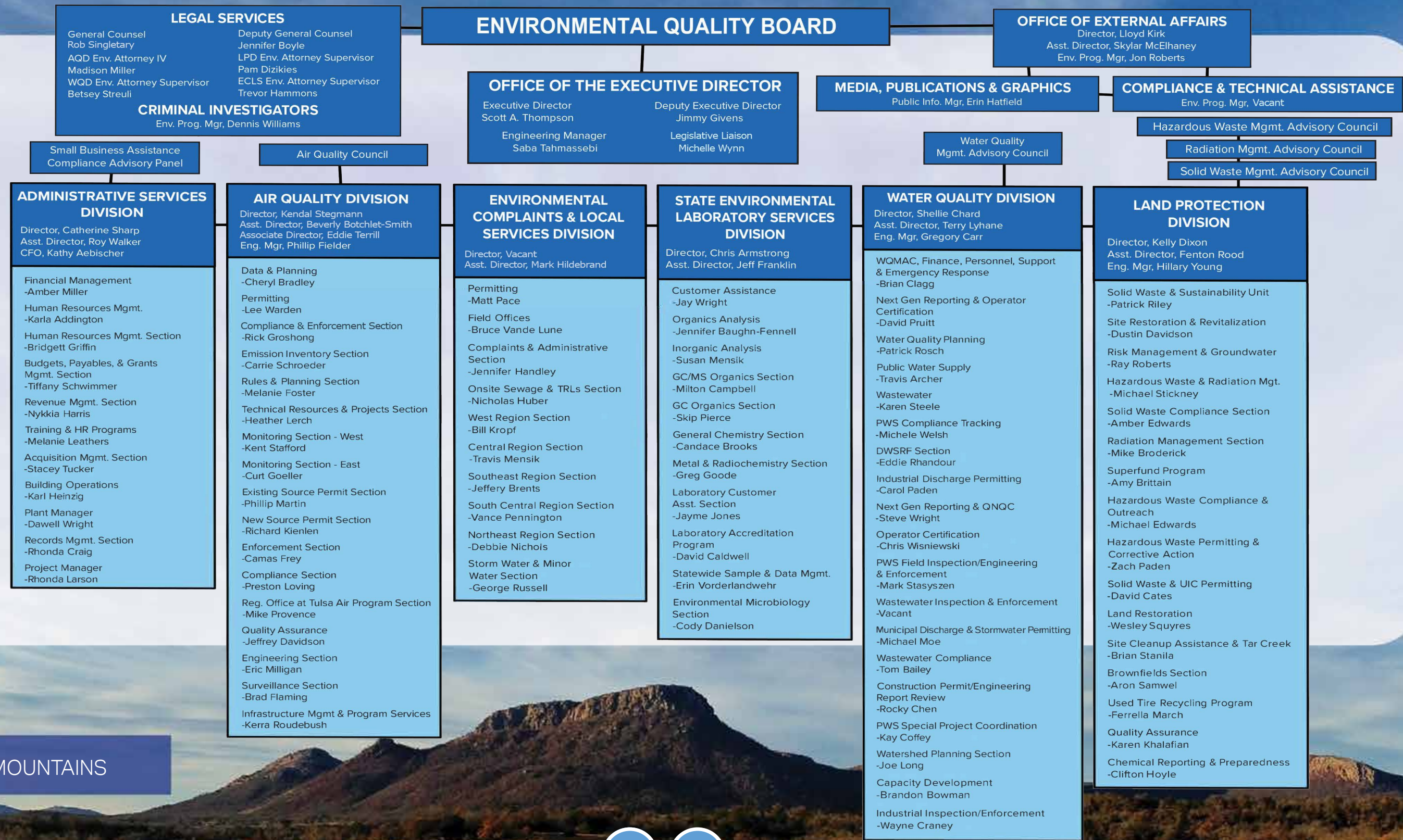
**Employee of
the Year**

Joshua Kalfas

“The mission of the Oklahoma Department of Environmental Quality is to protect people through the air we breathe, the water we drink, and the land on which we thrive, helping to make Oklahoma an even better place to live.”



Organizational Chart

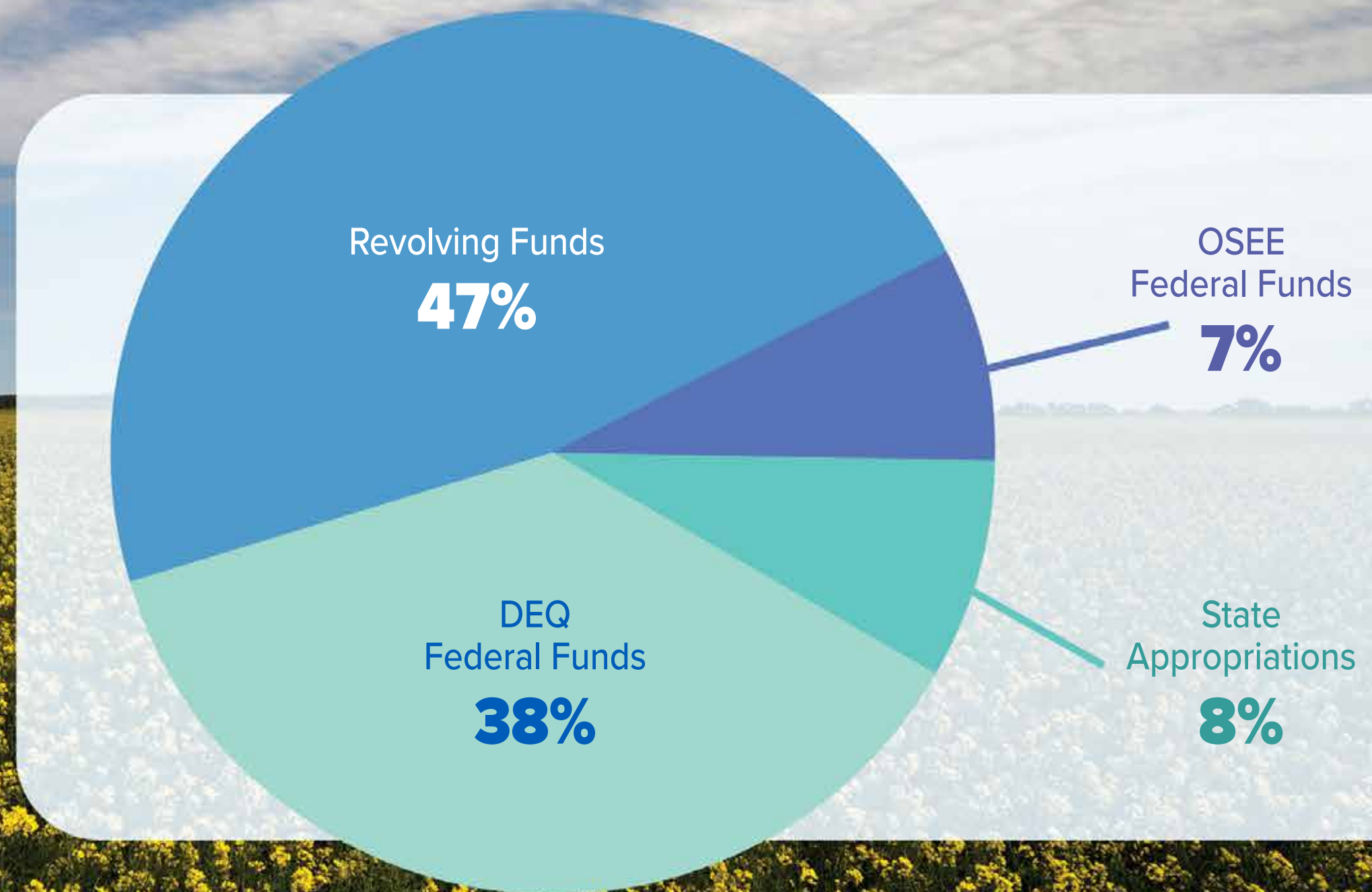


WICHITA MOUNTAINS



Agency Budget

- **State Appropriations**
(General Revenue) - 8%
- **Revolving Funds**
(Program Fees) - 47%
- **Federal Funds**
(Grants) - 38%
- **OSEE Federal Funds**
(Grants) - 7%



Environmental Quality Report



MOUNT SCOTT

For consideration and approval by the Environmental Quality Board on November 8, 2019

The Department of Environmental Quality (DEQ) is required by statute to annually 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 summarize DEQ’s annual budget needs for providing the environmental services within its jurisdictional areas, 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 legislative leaders.

I. ANNUAL BUDGET REQUEST¹

DEQ is slated to receive \$8,009,249 in state appropriated funding for current State Fiscal Year (SFY) 2020. This represents an increase of approximately 23% from the SFY 2019 appropriation of \$6,493,879, although it is still about a million dollars less than DEQ received as recently as SFY 2014. The 23% increase is divisible into three roughly equal parts: to offset the across-the-board state employee pay increase passed by the legislature in 2019; to update and upgrade laboratory equipment; and to fund programs to assist rural public water supply systems.

The impact of DEQ revolving fund sweeps by legislative action in the last few years that total \$33 million dictates that DEQ request appropriated funds for replacement of its rapidly deteriorating parking garage. The parking garage replacement is estimated to cost approximately \$13 million. Adding this figure to the presumed static base appropriated funding of \$8,009,249 means that DEQ, with the approval of the Environmental Quality Board, is requesting a general revenue appropriation of \$21,009,249 for SFY 2021. The specifics of this request are contained in Appendix A to this report.

DEQ’s total budget for SFY 2021 – including fee revenues and federal funds, which are also variable from year to year – is indeterminate as of the date of submittal of this report. The total DEQ budget for current SFY 2020 is just over \$97,000,000, comprised of approximately 8% state general revenue funding, 37% federal funding, 8% federal funding for the Office of the Secretary of Energy and Environment, and 46% fee funding. Appendix B contains additional details. Should state or federal funding substantially decrease, DEQ would have to further reduce activities and/or secure additional fee funding.

¹ 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 September 10, 2019, meeting



II. FEDERAL MANDATES²

AIR QUALITY DIVISION (AQD)

AIR POLLUTION CONTROL

Volkswagen Settlement

As part of its settlement with EPA for using “defeat devices” on vehicles to falsify emissions test results, Volkswagen (VW) was required to establish a mitigation trust fund to pay for defined eligible projects that reduce NOx. Oklahoma’s portion of this fund is approximately \$20.9 million. DEQ is the Lead Agency to act on behalf of the State of Oklahoma with respect to the mitigation trust, with oversight provided by the Oklahoma Secretary of Energy & Environment.

Oklahoma’s Beneficial Mitigation Plan was accepted by the Wilmington Trust, which is overseeing the VW trust settlement and implementation. The plan outlines the types of projects eligible for funding and demonstrates how Oklahoma will meet the requirements from the VW settlement related to spending of the funds for NOx reductions.

Phase 1 of Oklahoma’s plan is composed of two program elements. The first element is grants for the Alternative Fuel School Bus Program. First-round grant applications closed in December 2018. Projects have been awarded and work is underway. The second element involved AQD collaboration with the Oklahoma Corporation Commission, Oklahoma Department of Transportation, and Oklahoma Secretary of Energy and Environment to develop a Request for Proposal for Zero Emissions Vehicles Supply Equipment and Infrastructure, also known as ChargeOK: Oklahoma Electric Vehicle Charging Grant Program. The application period closed March 1, 2019. Projects have been selected and work will begin once the necessary memorandums of understanding are finalized. Periodic updates are posted to DEQ’s website.

Ozone National Ambient Air Quality Standard

All of Oklahoma is currently designated as attainment/unclassifiable for the 70 ppb 8-hour National Ambient Air Quality Standard (NAAQS) for ozone.

After a challenging 2018 ozone season, the 2019 ozone season has been a relatively good one to date, but there remains the possibility of violating the standard at two Oklahoma City sites before the end of 2019. Even if a violation in 2019 is avoided, the current tenuous compliance status ensures that

the risk will carry into the 2020 season.

To reduce the potential for nonattainment, AQD will continue to cooperate with the Councils of Governments (COGs) across the state, and especially the Indian Nations Council of Governments (INCOG) and the Association of Central Oklahoma Governments (ACOG), on educational efforts and continued implementation of voluntary “Ozone Advance” plans. AQD will also continue the work started in 2019 to investigate sources emitting the precursors of ozone (NOx and volatile organic compounds) to help determine if local sources could be impacting values in the Oklahoma City area. ACOG is in the process of soliciting funding partners for a potential cost-of-nonattainment study.

Regional Haze

The goal of the 1999 EPA regional haze rule is to achieve natural visibility conditions at all designated Class 1 Areas by the year 2064. Oklahoma must develop and update a long-term strategy for reducing visibility impairment at its Class 1 Area, the Wichita Mountains Wilderness Area (WMWA). Additionally, Oklahoma must address emissions that affect Class 1 Areas outside of the state. Oklahoma submitted a state implementation plan (SIP) for the first planning period in 2010 with a revision in 2013. The required five-year progress report was submitted in 2016 and EPA’s approval was published on June 28, 2019.

The next SIP submittal, for the second implementation period (Round 2), is due July 31, 2021. In preparation for the Round 2 submittal, AQD is working closely with the Central States Air Resource Agencies Association (CenSARA), neighboring states, tribal partners, federal land managers, and EPA. This implementation plan will require AQD to present a long-term strategy that meets a 2028 reasonable progress goal for visibility improvement at the WMWA. Data from the Interagency Monitoring of Protected Visual Environments (IMPROVE) network will be used to determine when visibility at the WMWA is most impaired by non-natural sources of air pollution, as well as which pollutants cause the greatest impact. AQD will analyze photochemical modeling and emission inventories to identify any potential sources of concern, which will be further investigated for visibility impacts at the WMWA. The ensuing long-term strategy will be built using these analyses and any benefits from pollution reduction identified by neighboring states. AQD will also be focusing effort toward replacing the federal implementation plans from the first implementation period with an approved Round 2 SIP.

Affordable Clean Energy (ACE) Rule

The ACE rule became effective September 6, 2019. The rule package included the following components: (1) repeal of the Clean Power Plan; (2) emission guidelines for greenhouse gas (GHG) emissions from existing coal-fired power plants; and (3) revisions to the timeline that states must follow in submitting State Implementation Plans (SIPs) to address federal emission guidelines. The heart of the ACE rule is a set of requirements for heat rate improvements (efficiency improvements) that would be applicable to coal-fired power plants. States are expected to address the requirements of the ACE rule by promulgating state rules that are equal to, or more stringent than, the federal requirements. States are then expected to submit those rules to EPA as a SIP. If a state does not submit a SIP, EPA may promulgate a federal implementation plan (FIP) which applies to facilities in the state. AQD is monitoring EPA’s rulemaking efforts and is in consultation with other states. The SIP is due to EPA on July 8, 2022.

² The list of federal mandates is not exhaustive but covers recent or impending requirements or major developments that are among the most significant to the state and DEQ.





**LAND PROTECTION DIVISION (LPD)
SOLID WASTE**

Coal Combustion Residuals (CCR)

EPA is proposing revisions to the federal CCR rule, contained in 40 CFR 257. Revisions may need to be made to OAC 252 Chapter 517 to ensure it remains at least as stringent as the federal Part 257 rule and compliant with EPA program approval. Part 257 continues to evolve. Additional changes are anticipated as EPA rewrites vacated and remanded portions of the rule. Additionally, EPA’s approval of Oklahoma’s permitting program has been challenged in the courts. Those court decisions could impact Oklahoma’s program. New federal permitting rules are expected to include expiration and renewal provisions. Should Oklahoma incorporate similar provisions into Chapter 517, it is anticipated that time and effort required of LPD staff will increase as a result.

**WATER QUALITY DIVISION (WQD),
along with STATE ENVIRONMENTAL
LABORATORY SERVICES DIVISION
(SELS) and ENVIRONMENTAL**

**COMPLAINTS & LOCAL SERVICES
DIVISION (ECLS)**

WASTEWATER/WATER REUSE

Waters of the United States (Clean Water) Rule

In September 2019, EPA and United States Army Corps of Engineers (USACE) completed “Step One” of their revocation and reissuance of the Waters of the United States (aka Clean Water) Rule. Step One returns EPA and USACE to the pre-2015 regulatory definition of Waters of the United States, by dispensing with the 2015 rule adopted under the Obama administration. EPA and USACE are working on Step Two, which is to propose a replacement rule. At this point it is unknown what the Step Two rule will include and what the implications might be for DEQ.

**EPA Oil and Gas Extraction Effluent Limitation
Guideline Review**

EPA has completed a review of the Effluent Limitation Guidelines (ELGs) for discharges related to oil and gas exploration and production. EPA will make a determination of which ELGs will be revised, eliminated or left “as is.” As a result of legislation and a subsequent MOU with the Oklahoma

Corporation Commission, DEQ will become the permitting authority in Oklahoma, once delegation of the program from EPA Region 6 occurs. The change in workload and the timing of that change is dependent on the magnitude of the revisions EPA makes to the ELGs and when authority is delegated to DEQ. In the interim, EPA has committed to meetings with the oil- and gas-producing states and other stakeholders as EPA moves forward. WQD will need to participate in those meetings in order to have a voice in the outcome, which will impact oil and gas producers and affect DEQ staff workload.

Water Reuse Action Plan (WRAP)

EPA began working on the WRAP, a non-regulatory initiative to advance water reuse across the country, in late 2018, and opened the draft plan for public comment in September 2019. EPA is soliciting input and commitments by states, regulated community and NGOs. DEQ has been reviewing and offering comments on appropriate actions for EPA, and encouraging EPA to recognize the efforts that states have taken to advance water reuse. Additionally, DEQ is meeting with EPA to promote allowing states to continue operating their water reuse programs without having to convert to a “one size fits all” approach for water reuse. There has already been a significant amount of staff time spent working on this federal initiative, and it is expected that the workload will continue to increase.

DRINKING WATER

Perchlorate

Perchlorate was listed in the First Unregulated Contaminant Monitoring Rule in 1999. After gathering data, in 2008 EPA determined that perchlorate would not be regulated. However, EPA reversed course in 2011 and announced there would be a perchlorate rule. In June 2019, EPA finally published a proposed rule with an MCL of 56 ug/L, and invited comments on other options as well. The final rule is scheduled for publication in late 2020. This rule will create a substantial workload increase for compliance, technical assistance, and laboratory analysis, and likely for enforcement as well.

Revised Lead and Copper Rule

EPA released this proposed rule on October 10, 2019. If finalized, it would modify the existing lead and copper rule with respect to sampling, corrosion control, lead line replacement, etc. Public water supply (PWS) systems would be significantly impacted, and DEQ’s workload with respect to lead will increase, which will affect WQD, ECLS, and SELS.



America’s Water Infrastructure Act of 2018 (AWIA)

The AWIA adds provisions regarding drinking water programs. Some elements are mandatory; one is optional. The optional program is of particular interest to the Governor and the Secretary of Energy & Environment. WQD, SELS, and ECLS will be expending significant resources on these new provisions. Among the most notable provisions are:

- Lead Testing in Schools and Daycares.

This program is not mandatory under AWIA. However, DEQ is participating in a statewide effort with other agencies and the Office of the Secretary of Energy & Environment to address a critical gap that currently exists in efforts to protect public health: the testing of individual taps and water fountains in schools and child care centers. PWS testing as mandated by the existing Lead and Copper Rule does not examine these points of use, and these facilities serve sectors of the population – young children and pregnant/nursing mothers – most vulnerable to the health effects of lead. This program is primarily the responsibility of the WQD Capacity Development Section, which is also responsible for the water loss audit program.

- Asset Management.

DEQ is required to modify the agency’s capacity development strategy to describe how it will encourage the development by PWS systems of asset management plans and assist in the training of PWS operators or other personnel to implement the plans. DEQ must report on these activities in a triennial report. These new requirements will impact the workload of the Capacity Development Section. It is anticipated that if DEQ implements this program internally, one or two FTEs will be needed. If DEQ chooses to contract with a technical assistance provider, like the Oklahoma Rural Water Association, additional money will be needed to fund the contract.

- Risk Assessment and Emergency Response.

Community PWS systems that serve more than 3,300 people are required to complete a risk and resilience assessment and develop an emergency response plan. DEQ has been working with systems on this type of effort due to the state’s many natural disasters. Under AWIA, deadlines for the risk and resilience assessments range from March 31, 2020, to June 30, 2021, depending on system size. DEQ will be providing technical assistance to the PWS systems and reporting to EPA.

- Consumer Confidence Reports.

Starting in December 2020, AWIA increases the frequency of Consumer Confidence Reports(CCRs), which notify customers of any violations, from annually to semiannually for some systems. Failure to issue CCRs and deficiencies in them are already among the most frequent violations for drinking water systems, especially small systems. DEQ has purchased software to assist in developing these reports and will continue to train systems.

- Consolidation Assessment.

This AWIA provision authorizes primacy states or EPA to assess options for consolidation or transfer of ownership of non-compliant PWS systems when:

- o a public water supply system has repeatedly violated one or more primary drinking water regulations, and is unable or unwilling to take feasible and affordable actions to address compliance
- o or has undertaken actions to address compliance but has not achieved compliance;
- o consolidation, transfer, or other action is feasible; and
- o consolidation could result in greater compliance with the Safe Drinking Water Act (SDWA).

Also, limited liability protection is afforded for systems acting pursuant to an approved consolidation plan. EPA is currently in the rulemaking process to implement this provision, with publication expected in the spring of 2020. Staff time will be required to review and approve consolidation assessments, provide technical assistance to consolidating systems, etc. It is unknown how many systems will voluntarily participate or whether any systems will be required to participate based on compliance history.

Water Infrastructure Improvements for the Nation Act (WIIN)

- Small and Disadvantaged Communities.

This is a grant program to assist PWS systems in underserved, small, and/or disadvantaged communities in meeting SDWA requirements. The funding available can be used to pay for infrastructure projects, technical/managerial/financial (TMF) capacity-building activities, or activities necessary to respond to a contaminant. WQD’s Capacity Development Section views this program as a means to help address the most pressing TMF capacity issues identified by the Capacity Development Baseline Assessment. There is a 45% cost share requirement for this grant, which can be met by funding that is already committed to TMF capacity development work.

MISCELLANEOUS

Per- and Polyfluoroalkyl Substances (PFAS)

PFAS compounds, which are receiving increasing public and Congressional attention, continue to be an area of focus for EPA and the Department of Defense in particular. Some stakeholders want EPA to establish drinking water Maximum Contaminant Levels (MCLs), wastewater discharge and biosolids standards, groundwater clean-up levels, etc. Action on any of these chemicals will present challenges for DEQ, including rulemaking, staffing to implement the new requirements, training for the regulated community and DEQ staff, and procuring needed laboratory equipment. Even now, there is significant DEQ staff time spent tracking activities, attending meetings, and responding to questions or concerns from facilities and the general public. That will increase when new requirements are established, especially impacting WQD, SELS, and ECLS, as well as LPD.



III. LEGISLATIVE RECOMMENDATIONS

The following are proposed as possible DEQ “request” bills for the 2020 Oklahoma regular legislative session..

PARKING GARAGE FINANCING

DEQ’s employee parking garage for its Oklahoma City headquarters building requires replacement. DEQ will seek a legislative appropriation and/or use of the Maintenance of State Buildings Revolving Fund to fund this project. In the alternative, DEQ could rely on previous permission from the state Long-Range Capital Planning Commission to proceed on the parking garage project utilizing bond financing. The agency must obtain legislative authorization for bond financing.

ELIMINATE OR EXTEND SUNSET DATE FOR ADVISORY COUNCILS

Senate Bill 1027 (2019) sunsets the Water Quality Management Advisory Council, Hazardous Waste Management Advisory Council, Solid Waste Management Advisory Council, and Radiation Management Advisory Council on July 1, 2020. DEQ believe elimination of these advisory councils would seriously and unnecessarily weaken the current robust opportunities for input on DEQ rulemaking and state environmental policy by industry, local government, environmental organizations and the general public. The cost savings would be minuscule. Unless DEQ is able to confirm prior to the bill request deadline that an omnibus bill and open committee process will ensure consideration of the continuation of the councils, DEQ plans to request a bill that would eliminate the sunset provision, or at least extend it for several years.

Used Tire Recycling Program Triennial Report

The Administration and Effectiveness of the Oklahoma Used Tire Recycling Program (FY17, FY18 and FY19) Report, also called the Used Tire Recycling Program Triennial Report, is available online at DEQ’s Land Protection Division’s Used Tire Recycling Program website. Click this link to view: <https://go.usa.gov/xpAc4>. For a more detailed version of this report, click the following link: <https://go.usa.gov/xpA37>.

APPENDIX A

Oklahoma Department of Environmental Quality
Operations Funding Changes For the Fiscal Year Ending 06/30/2021

On-Going Requests	FY 2020	FY 2021	FY 2021
State Environmental Laboratory Services	\$3,200,746	\$0	\$3,200,746
Environmental Complaints & Local Services	3,349,996	0	3,349,996
Water Quality Division	1,458,507	0	1,458,996
Subtotal On-Going Requests	\$8,009,249	\$0	\$8,009,249
One-Time Requests			
Parking Garage		13,000,000	13,000,000
Total Requests	\$8,009,249	\$13,000,000	\$21,009,249

DEQ – Parking Garage \$13,000,000

DEQ is responsible for the maintenance of agency-owned facilities, which include a parking garage and surface lot for customer and employee parking. Due to continual legislative sweeps totaling \$33 million, we no longer have the funds to complete the replacement of the rapidly deteriorating parking garage. The garage has reached a critical point where we have had to close the top floor due to a punch-through. Additionally, we have had to close certain parking spaces throughout the garage due to concerns of falling concrete and potentially additional punch-through holes. This request is urgent and cannot be delayed any more. The agency has had to locate additional parking to relocate displaced employees. The area has very few options for parking and DEQ is unable to locate enough parking to accommodate our entire staff.

APPENDIX B

Department of Environmental Quality
Fiscal Year 2019 Budget

Budget	Amount
Salaries and other Compensation Expenses	\$47,523,481
Professional Services	\$18,970,690
Travel Expenses	\$1,091,592
Administrative Expenses	\$6,180,852
Lab Equipment, Furniture & Building Construction, and Air Monitoring	\$2,687,498
Local Governments & Non-Profit Projects and Programs	\$20,917,748
Total Expenses	\$97,371,860

Funding Sources	Amount
19001 Lab Equipment Appropriation	\$500,000
19001 Rural Water Sustainable Infrastructure/TA Support	\$500,000
19901 General Appropriations	\$7,009,249
20000 Revolving Fund	\$ 44,095,513
21000 Environmental Education Fund	\$17,000
22000 Hazardous Waste Penalty Fund	\$100,000
22500 Certificate Fund	\$900,000
40000 Federal Funds	\$29,307,973
40300 Brownfields Revolving Loan Fund	\$500,000
40500 Environmental Settlement Fund (Federal)	\$6,538,840
41000 Water Management Federal Fund	\$7,903,285
Total Funding Sources	\$ 97,371,860



Agency Statistics



Air Quality Division

Ambient Monitoring	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Continuous Monitoring Systems	47	46	46	46	47
Non-continuous Stations	15	15	13	13	15
Toxics Stations	12	8	8	8	12
Number of Air Samples Collected (continuously/hourly)					
Ozone	26,281	23,484	21,105	25,862	96,732
Sulfur Oxides	18,219	19,637	18,316	19,290	75,462
Total Oxides of Nitrogen	4,082	6,406	6,023	5,236	21,747
Nitrogen Dioxide-NO ₂	4,082	6,406	6,023	5,236	21,747
Nitrogen Oxides-NO	4,082	6,406	6,023	5,236	21,747
Carbon Monoxide	5,637	6,517	5,744	6,417	24,315
PM-10	3,519	2,199	2,199	2,199	10,116
PM-2.5	21,826	21,187	22,893	23,835	89,741
Special Purpose					
Ozone	6,231	5,217	4,128	6,433	22,009
NOy	1,651	2,176	2,149	677	6,653
PM-10	19,623	19,647	19,702	21,656	80,628
PM-2.5	2,203	2,024	3,654	2,179	10,060
Black Carbon	2,199	512	1,557	2,167	6,435
H ₂ S	4,379	4,284	3,287	4,234	16,184
Special Purpose Totals	36,286	33,860	34,477	37,346	141,969
Number of Air Samples Collected (non-continuous/daily)					
PM-10	61	57	57	55	230
PM-2.5	236	233	224	217	910
PM-Coarse	52	48	49	48	197
Toxics	486	284	273	262	1,305
Lead	34	37	21	22	114
Compliance					
Number of days when ozone was within the 8-hour NAAQS	90	92	91	90	363
Number of total monitors demonstrating compliance (out of 47 total)	47	47	47	47	47
Excess Emissions Monitoring					
Excess Emissions Report	216	257	143	126	742
Emissions Inventory					
Billings					
Companies with Major Facilities	114	0	8	0	122
Companies with Major and Minor Facilities	56	0	4	0	60
Companies with Minor Facilities	441	0	15	0	456
Inventories Received					
Companies	2	6	482	323	813
Facilities	3	6	2,876	2,955	5,840

Enforcement Administration

Air Enforcement	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Notices of Violation	0	1	2	0	3
Formal Actions	1	3	4	0	8
Level III Violation Letters	5	6	11	1	23
Alternate Enforcement Letters	30	21	26	21	98
Self Disclosures Received	26	32	36	18	112
Asbestos Actions	1	0	3	4	8
Fines Paid (in thousands of dollars)	\$22.75	\$22.964	\$35.263	\$0	\$80.977
SEP Dollars (in thousands)	\$0	\$0	\$0	\$0	\$0
Total Number of SEPs	0	0	0	0	0
Reductions in Tons of Emissions from Enforcement Actions	1,790.3	1,712	133	0	3,635.3
Complaints Resolved within 90 Days	20	38	19	21	98
Complaints Unresolved, but still within 90 day deadline	6	10	8	7	31
Total Complaints	26	48	27	28	129
Total Facilities in significant Non-compliance	19	20	19	21	Not Cumulative
New Facilities in significant Non-compliance	6	0	0	1	7

Inspections -Air Inspections

Monitoring Inspections (from ECLS)	19	20	11	0	50
On-Site Compliance Evaluations	29	75	61	52	217
Off-Site Compliance Evaluations	936	666	1,212	719	3,533
Asbestos Inspections	177	120	166	161	624
Stack Tests Observed	5	5	3	0	13
Stack Tests Reviewed	421	401	387	242	1,451

Lead Based Paint

Lead Based Paint Certification

Inspector	1	0	0	6	7
Risk Assessor	0	0	0	76	76
Abatement Worker	0	0	0	9	9
Supervisor	0	0	0	35	35
Project Designer	0	0	0	2	2
Firm	0	0	0	64	64

Lead Based Paint Compliance Inspections

Lead Based Paint Enforcement Actions

LBP Enforcement Actions resulting in LBP contractor returning to substantial compliance with program requirements

Lead Based Paint Outreach					
Events	0	0	0	0	0
Participants	0	0	0	0	0

Permit Administration - Air Quality Permitting

Construction Applications/Permits Issued

Minor Received	95	91	78	48	312
Minor Issued	96	89	70	45	300
Major Received	8	1	5	2	16
Major Issued	10	2	8	3	23
PSD Received	1	0	0	0	1
PSD Issued	3	2	1	0	6



Agency Statistics

Permit Administration (Continued)					
Operating Applications/Permits Issued	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Minor Received	400	474	285	181	1,340
Minor Issued	426	511	394	232	1,563
Major Received	44	30	20	26	120
Major Issued	29	34	34	19	116
PSD Received	0	0	0	0	0
PSD Issued	0	0	0	0	0
Title V Initials and Modifications Received	3	3	0	4	10
Title V Initials and Modifications Issued	1	2	7	2	12
Title V Renewals and Modifications Received	31	27	20	22	100
Title V Renewals and Modifications Issued	25	22	27	17	91
Acid Rain Received	10	0	0	0	10
Acid Rain Issued	3	10	7	0	20
Relocation Received	4	4	5	5	18
Relocation Issued	5	4	5	4	18
Applications Withdrawn	11	5	5	10	31
Title V Initial and Renewal Modifications Issued - Total	14	14	18	13	59
Title V Initial and Renewal Modifications Issued - Significant	0	1	2	2	5
Applicability Determination Received	9	7	9	7	32
Applicability Determination Issued	8	4	9	10	31
Permits Denied	0	0	0	0	0
Total Applications Received	560	607	402	269	1,838
Total Permits Issued	574	646	528	313	2,061
Minor Permit Status > 90 Day Timeline	224	158	135	92	Not Cumulative
Tests Observed	2	1	1	0	4
Performance Inspections	NA	NA	NA	NA	NA
Permit Protest Hearings	0	0	0	0	0
Number of PSD Modeling Analysis Conducted	1	1	1	1	4
Number of Title V Air Permits Passing Federal Review	29	38	24	16	107
Public Information and Education					
Ozone Watches and Alerts					
Oklahoma City	5	0	0	0	5
Tulsa	1	0	0	0	1
Lawton	0	0	0	0	0
Rural Oklahoma	0	0	0	0	0
AQ Health Advisories	6	0	1	8	15
Environmental Education					
Events					
Conference Presentations	0	1	1	0	2
Conference Displays	0	0	0	0	0
Community Wide Events	0	0	0	0	0
Education Presentations					
K-12	0	0	0	0	0
University	0	1	0	0	1
Community/Adult	0	2	1	1	4
Contacts	0	118	283	10	411
Quality Assurance					
Audits					
Continuous	41	45	39	38	163
Non-Continuous	14	13	12	14	53
Interlab	6	3	0	3	12
Data Validation	322	317	301	299	1,239
Standards Certified	145	131	173	145	594
Filter Checks	147	105	80	81	413
Precision Tests	360	360	352	366	1,438



Environmental Complaints and Local Services Division

Complaint Statistics	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Total Spills/Complaints Received	962	820	1,017	1,039	3,838
Spills/Complaints Referred to Other Agencies	106	90	82	77	355
Total DEQ Spills/Complaints Received	856	730	935	962	3,483
Spills Received	64	83	64	57	268
Complaints Received	792	647	871	905	3,215
Publicly-Owned Wastewater Facility and Lines	43	44	50	43	180
Private Wastewater Service Lines	32	25	37	37	131
Public Water Supply	108	34	37	43	222
Fish Kills	22	4	5	14	45
Harmful Algal Bloom/Blue Green Algae	5	2	0	12	19
Unpermitted Discharge	18	30	40	33	121
Industrial Stormwater	3	0	0	3	6
Industrial Wastewater Treatment	2	7	3	3	15
Medical Marijuana - IWW	1	1	0	1	3
Fugitive Dust	61	42	29	41	173
Air Facilities Emissions	5	17	19	19	60
Odors	20	43	34	24	121
NESHAP Violations	4	5	1	5	15
Lead Based Paint	2	0	1	1	4
Solid Waste Car Wash Sludge	0	0	0	0	0
Solid Waste Transfer Station	0	0	0	1	1
Solid Waste Landfill Operation	2	3	5	2	12
Tires	9	12	9	10	40
Hazardous Waste Facility Operation	0	0	0	0	0
Hazardous Waste Improper Disposal	1	0	0	1	2
Radiation	3	0	1	0	4
Underground Injection Control	0	0	0	0	0
Total Retention Lagoon - lagoon, collection and land application	11	11	14	9	45
On-site Sewage	121	120	205	185	631
Improperly installed on-site sewage system (certified installation)	2	3	4	5	14
Improperly installed on-site sewage system (non-certified installation)	17	11	21	14	63
Aerobic system maintenance (system installed 2 years or less)	0	1	7	5	13
Malfunctioning aerobic system	26	34	33	66	159
Private Water Supply	19	3	3	7	32
Open Burning	72	52	60	81	265
Unpermitted Disposal of Solid Waste	143	98	113	94	448
Septage Pumpers and Haulers	2	0	1	3	6
Construction Stormwater-permit or discharge	38	21	54	69	182
Minor Water Supplies	0	2	2	2	6
Self-reported Spill/Release - Highway Remediation	0	0	0	0	0
Disaster Response					
Debris Disposal Sites Registered	20	8	3	4	35
FOIA Searches	271	251	0	169	691



Agency Statistics



Inspections

Air Quality – Air Inspections	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Monitoring Inspections	21	21	14	0	56
Waste Management – Solid Waste Inspections					
Monitoring Inspections	42	10	6	1	59
Water Quality					
Public Water Supply					
Monitoring Inspections	347	518	243	255	1,363
Minor Water Systems	65	102	88	181	436
Municipal Wastewater					
Monitoring Inspections	68	111	94	85	358
Total Retention Lagoons					
Monitoring Inspections	120	131	90	100	441
Industrial Wastewater					
Monitoring Inspections	79	96	89	81	345
Stormwater					
NOT Inspections	41	278	185	209	713
Active Permit Inspections	15	27	60	60	162
No Exposure Inspections	2	11	3	11	27
Septage Pumps					
Inspections	4	14	183	21	222
Total Number of Inspections					4,182

Enforcement Administration

Enforcement Actions - Unpermitted Activities

Notices of Violation					
Open Burning	3	1	1	5	10
Open Dumping	0	4	3	4	11
Fugitive Dust	2	3	0	0	5
Surfacing Sewage	3	2	0	4	9
Minor Water System	0	3	0	0	3
Certified Installers	0	4	2	4	10
Non-Certified Installers	1	3	5	5	14
Septage Pumps/Haulers	0	0	0	1	1
Total Retention Lagoons	2	3	5	2	12
Highway Spill Remediation	0	0	0	0	0
Certified Soil Profilers	0	0	0	1	1
Stormwater - Construction	0	4	3	4	11
Total					87

Enforcement Administration (Continued)

Formal Actions	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Open Burning	1	1	0	0	2
Open Dumping	10	6	9	6	31
Fugitive Dust	0	1	0	0	1
Surfacing Sewage	23	11	12	19	65
Certified Installers	0	0	2	1	3
Non-Certified Installers	3	1	1	3	8
Septage Pumps/Haulers	3	0	0	0	3
Total Retention Lagoons	3	2	1	2	8
Highway Spill Remediation	0	0	0	0	0
Minor Water System	0	0	1	0	1
Certified Soil Profilers	1	0	0	0	1
Stormwater - Construction	0	0	0	3	3
Total					126
Fines Paid					
Open Burning	\$0	\$0	\$0	\$0	\$0
Open Dumping	\$400	\$0	\$1,525	\$0	\$1,925
Fugitive Dust	\$0	\$0	\$0	\$0	\$0
Surfacing Sewage	\$200	\$150	\$100	\$100	\$550
Certified Installers	\$0	\$0	\$1,400	\$0	\$1,400
Non-Certified Installers	\$400	\$0	\$0	\$0	\$400
Septage Pumps/Haulers	\$0	\$0	\$0	\$0	\$0
Total Retention Lagoons	\$0	\$25,000	\$4,000	\$0	\$29,000
Certified Soil Profilers	\$0	\$0	\$0	\$0	\$0
Stormwater - Construction	\$0	\$0	\$0	\$1,500	\$1,500
Total					\$34,775

Permit Administration

ECLS Requested Services

Private Sewage					
Soil Tests	137	118	99	129	483
Existing System Inspections	12	10	9	11	42
Authorizations Issued	1,982	1,675	1,558	2,207	7,422
Alternative System Permits Issued	23	20	16	24	83
Septage Pumps and Haulers					
Septage Pumper Licenses Issued	4	22	154	45	225
Highway Remediation					
Highway Remediation Licenses issued	0	26	1	0	27
Water Quality					
Storm Water-Construction					
Authorizations Issued	381	308	287	398	1,374
Authorizations Terminated	135	2	130	144	411
Storm Water-Industrial					
Authorizations Issued	63	37	45	27	172
Authorizations Terminated	20	1	20	23	64
Minor Water					
Permits to Supply	4	4	5	9	22
Authorizations to Construct	5	6	4	9	24
Total Number of Permits/Licenses					10,349



Agency Statistics



Permit Administration (Continued)					
Technical Assistance	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Air Quality	8	9	6	11	34
BGA (Blue Green Algae)	2	0	0	0	2
DWSRF	4	0	2	4	10
Fish Kills	2	0	0	1	3
Hazardous Waste	5	4	1	2	12
Industrial WW	3	2	6	10	21
Solid Waste	15	11	14	14	54
Minor Water	7	9	18	3	37
Onsite Sewage	163	151	221	246	781
Private Water	49	14	31	28	122
Promote Soil Profile	35	12	35	29	111
Public Water Supply	35	35	42	48	160
Septage Hauler and Transporter	2	3	3	7	15
Spill	1	2	1	2	6
Stormwater	14	13	16	31	74
Tires	0	0	0	0	0
Total Retention Lagoon	18	16	32	21	87
Water Pollution Control	11	9	10	7	37
Total	374	290	438	464	1,566
Individual Water Well Evaluation					
Requested Services – Private Water					
Water Well Inspections	6	2	4	2	14
Operator Certification					
On-site System Installer Certification					
Renewal Training Attendees	12	3	34	6	55
New Certification Examinations					
Sub-surface Examinations	1	8	0	1	10
Lagoon Examinations	0	2	0	0	2
Aerobic Spray Examinations	13	0	10	0	23
Aerobic Drip Examinations	0	0	0	0	0
Low Pressure Dosing Examinations	0	0	0	0	0
Soil Profiler Certification					
Renewal Training Attendees	3	0	5	0	8
New Certifications	0	0	0	0	0

Land Protection Division

Council/Rulemaking Meetings

Council Meetings	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
HWMAC Meetings/Rulemaking Hearings	1	1	0	0	2
RMAC Meetings/Rulemaking Hearings	1	0	0	0	1
SWMAC Meetings/Rulemaking Hearings	2	0	1	0	3
Total					6

Permit Administration

Public Meetings for Permitting	0	0	0	0	0
Hazardous Waste					
Permit applications/plans received	48	61	68	40	217
Permit applications/plans approved	50	63	61	41	215
Permit Protest Hearings	0	0	0	0	0
Permits approved within timelines	50	63	61	41	215
Percent of sites on the GPRA 2020 list at which site-wide corrective action construction is complete	78%	78%	78%	78%	Not Cumulative

Radiation

License applications/amendments received	95	93	116	92	396
License applications/amendments issued	115	94	79	125	413
Licenses issued within timelines	115	94	79	125	413

Solid Waste

Permit applications/plans received	173	163	201	187	724
Permit applications/plans approved	170	160	189	202	721
Permit Protest Hearings	0	0	0	0	0
Permits approved within timelines	170	160	189	202	721

UIC

Permit applications/plans received	9	11	14	9	43
Permit applications/plans approved	7	9	11	7	34
Permit Protest Hearings	0	0	0	0	0
Permits approved within timelines	7	9	11	7	34

Percent of Permits/Licenses Approved Within Timelines	100%				
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Agency Statistics



Citizen and Local Government Outreach

Citizen Outreach - Mercury and School Chemical Disposal	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Households from which mercury was collected for recycling	6	7	9	8	30
Schools provided assistance with chemical disposal	6	3	2	8	19
Citizen Outreach - Radon					
Radon test kits requested by homeowners and schools					702
Citizen Outreach - Radiation Surveys					
Radiation surveys performed	28	16	22	0	66
Citizen Outreach - Industrial Radiography					
Industrial radiography exams held	3	3	2	0	8
Individuals taking industrial radiography exams	82	162	35	0	279
Local Government Outreach					
Local governments assisted with trash dump clean up and improved recycling programs					65
Communities and non-profits assisted with Brownfields funding	50	34	30	31	145
Dollar amount of solid waste fees reinvested in local projects					\$1,941,375
Citizen Outreach - SQG Self-Certification					
Percentage of SQG universe participating in self-certification	15.82%	15.87%	16.49%	16.76%	Not cumulative
Percentage of SQG universe participating in self-certification that self-identified at least one area of non-compliance	No initial or re-certifications received in this quarter	No new facilities. One recertified.	One submittal. No issues.	No initial or re-certifications received in this quarter	

Land Restoration

Brownfields					
Phase I/II Targeted Site Assessments	4	2	0	1	7
Sites cleaned up using Brownfields Revolving Loan Funds	0	0	0	0	0
Brownfields Certificates issued	1	2	3	1	7
Superfund					
Preliminary assessments and site inspections completed	1	2	0	3	6
Number of Superfund 5-Year Reviews completed	2	0	2	1	5
Active NPL sites					15
NPL sites in state-lead operations and maintenance					6
Removals conducted by DEQ					0
Removals conducted by EPA with DEQ assistance					1
DOD facilities going through the CERCLA process					30
Voluntary Clean-Up Program					
Contaminated sites in the VCP	83	88	88	87	Not cumulative
Contaminated sites cleaned up under the VCP	3	2	1	4	10
Governmental Entities					
Governmental entities assisted with restoration of damaged lands	6	7	5	5	23

Land Restoration (Continued)

Waste Tires	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Community-wide collection events held	7	17	27	18	69
Tires diverted from illegal dumping through community-wide collection events	68,561	76,574	42,596	67,417	255,148
Illegal tire dumps remediated	8	4	10	21	43
Abandoned tires remediated from illegal dumps	3,527	15,879	47,598	10,531	77,535
Tar Creek					
Tons of chat from the Tar Creek Superfund Site marketed	0	0	0	0	0
Tons of chat from the Tar Creek Superfund Site disposed	119,170.86	101,712.79	29,613.09	91,838.33	342,335.07
SCAP					
Number of National Guard armories, orphan sites, and publicly owned properties remediated and available for reuse	0	1	0	1	2
All Programs					
Total acres of land cleaned up or restored to beneficial reuse					314.70

Complaints

Complaints referred to LPD	11	5	8	10	34
LPD complaints resolved	7	3	12	11	33
LPD complaints resolved within 90 days or approved extension	7	3	12	11	33
Percent of Complaints Resolved Within 90 Days or Approved Extension					100%

Inspection Programs

Hazardous Waste					
Inspections at Oklahoma hazardous waste generators, transporters, and non-commercial disposal facilities	0	9	4	0	13
Hazardous waste inspections at Oklahoma military facilities	0	0	0	0	0
Inspections at Oklahoma commercial hazardous waste disposal facilities	0	1	0	0	1
Groundwater monitoring evaluations at hazardous waste disposal facilities (CME and OAM)	0	2	0	1	3
Radiation					
Inspections at Oklahoma licensees	31	31	34	9	105
Solid Waste					
Inspections at Oklahoma solid waste disposal facilities	104	59	57	8	228
Non-hazardous Industrial Waste					
NHIW certifications reviewed	381	297	366	187	1,231
UIC					
Inspections at Oklahoma UIC wells	0	6	0	2	8
Used Tires					
Inspections at Oklahoma used tire processors	18	18	18	18	72
Inspections of tire dealers and motor license agents	4	2	25	42	73
Total Number of Inspections Performed					503



Agency Statistics

Enforcement Administration

Hazardous Waste

	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Notices to Comply issued	3	1	2	1	7
Notices of Violation issued	0	1	1	0	2
Orders issued	1	1	0	0	2
Facilities in significant non-compliance	1	3	2	2	8
Dollar amount of fines paid	\$0	\$37,319	\$0	\$0	\$37,319
Supplemental Environmental Projects	0	0	0	0	0
Dollar amount of Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0

Radiation

Notices of Violation issued	3	4	6	2	15
Orders issued	1	0	0	0	1
Dollar amount of fines paid	\$0	\$5,500	\$0	\$0	\$5,500
Supplemental Environmental Projects	1	0	0	0	1
Dollar amount of Supplemental Environmental Projects	\$0	\$500	\$0	\$0	\$500

Solid Waste

Notices of Violation issued	0	0	0	2	2
Orders issued	1	2	0	0	3
Dollar amount of fines paid	\$0	\$0	\$0	\$0	\$0
Supplemental Environmental Projects	0	0	0	0	0
Dollar amount of Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0

UIC

Notices of Violation issued	0	0	0	0	0
Orders issued	0	0	0	0	0
Dollar amount of fines paid	\$0	\$0	\$0	\$0	\$0
Supplemental Environmental Projects	0	0	0	0	0
Dollar amount of Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0

Used Tires

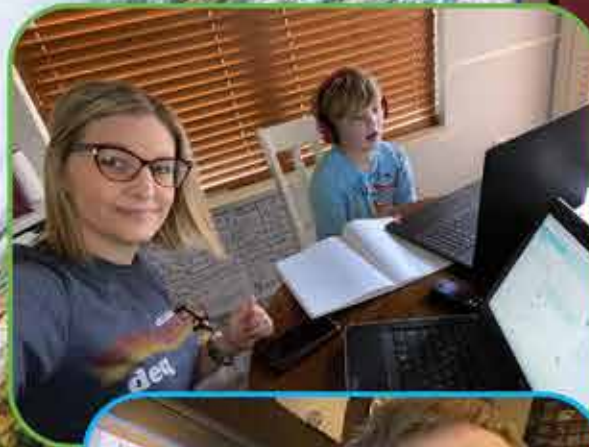
Notices of Violation issued	0	1	0	2	3
Orders issued	0	2	0	0	2
Dollar amount of fines paid	\$0	\$0	\$0	\$0	\$0
Supplemental Environmental Projects	0	0	0	0	0
Dollar amount of Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0

Total Enforcement Actions

Total Fines					\$42,819
Total SEPs					1
Total SEP \$					\$500

Sara Title III – Community Right to Know (EPCRA)

Tier 2 Reports Filed	15	336	50,516	1,979	52,846
Toxic Release Reports Filed	1,401	0	0	0	1,401
Industry Request for Guidance	403	1,234	4,973	1,639	8,249
CAMEO/Submit Instruction/Presentations	4	24	26	2	56
LEPC Meetings Attended	6	5	11	0	22
EPA Inspections Attended	0	0	0	0	0



Office of External Affairs

Graphics and Publications

	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Designs/Illustrations/Graphics Produced	235	231	229	171	866
Publications/Brochures/Fact Sheets Produced	71	152	113	145	481
Videos Produced	10	3	28	3	44

Web Requests

Agency	44	102	86	49	281
Public	4	5	16	5	30
.Gov Delivery Subscribers	4,567	4,827	6,018	7,924	Not Cumulative

Pollution Prevention

Career Fairs, Booths and Other Outreach	5	2	2	1	10
Clean Vessel Act Grants Awarded					1
Clean Vessel Act Grant Dollars Awarded					\$267,750

Oklahoma Green Schools

Registered Schools	12	1	13	2	28
Students Impacted	2,340	15	1,524	75	3,954



Agency Statistics



State Environmental Laboratory Services

Workload and Customer Support

Laboratory Tests Performed (by customer)

SDWA	15,267
OWRB	16,980
Private	7,666
Lab Priority	1,239
DEQ	1,220
Contractual	1,156
PDES	491
SELS	899
Total	44,918

Proficiency Testing

Double Blind Studies	30
Tests Performed	935
Analyte Determinations	1,321
Overall Success Rate	98.8%

Customer Support

Technical Assistance Events	25,000
Targeted Outreach Events	28
Lab Tours	5
Social Media Posts	28
New/Updated Online Services	3
Sample Collection Events	28
Fish Consumption Advisories Reviewed	183
Fish Consumption Advisories Issued	42
Fish Consumption Advisories Removed	3
New Programs	2

Staffing, Training, and Competency

Full Time Employees	55
Turnover	8
New Hires	5
Current Vacancies	3
Training Events	115
Documented Staff Trainings	563
ELMS Training Events	8
Demonstrations of Capabilities (DOC)	209

Laboratory Scope and Capacity

Testing Methods in Production	102
New Methods Developed	3
Technologies in Production	40
New Technologies Implemented	1
New Certifications/Accreditations	1
New/Replacement Instruments	6
New/Replacement Equipment	17
Overall Replacement Cost (all assets)	7.1 million
Overall Lab Capacity	37.10%

Quality System

Standard Operating Procedures (SOP) reviewed	66
External Audits	1
Internal Audits	5
Process Improvements Opened	43
Process Improvements Closed	32

Laboratory Accreditation Program

New Applications Received	19
On Site Assessments	53
Certifications Issued	188
Number of Withdrawals/Revocations	2
Customer Feedback Received	6
Complaints Received	4
New Areas of Accreditation	1



Agency Statistics



Water Quality Division

TMDL Development

TADS	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
TMDLs Started	0	10	0	1	11
TMDLs Completed	1	0	10	0	11

Data Management

Groundwater

Sites With GPS Correction	3	1	1	1	6
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Enforcement Administration

Public Water Supply

Boil Advisories	4	0	2	2	8
Notices of Violation	50	52	31	32	165
Consent / Final Orders	6	5	4	6	21
Fines Paid	\$3,000	\$2,000	\$7,625	\$1,250	\$13,875
Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
TOTAL number of SEPs	0	0	0	0	0

Municipal Wastewater

Notices of Violation	45	29	19	26	119
Consent / Final Orders	10	5	7	7	29
Fines Paid	\$28,625	\$7,000	\$12,924	\$20,437	\$68,986
Supplemental Environmental Projects	\$0	\$0	\$19,883	\$0	\$19,883
TOTAL number of SEPs	0	0	1	0	1

Industrial Wastewater

Notices of Violation	12	10	9	4	35
Consent / Final Orders	2	1	5	2	10
Fines Paid	\$0	\$20,750	\$6,325	\$3,775	\$30,850
Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
TOTAL number of SEPs	0	0	0	0	0

Storm Water

Notices of Violation	2	3	1	10	16
Consent / Final Orders	1	3	2	0	6
Fines Paid	\$0	\$5,750	\$8,275	\$0	\$14,025
Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
TOTAL number of SEPs	0	0	0	0	0

Inspections

Public Water Supply	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Monitoring Inspections (from ECLS)	347	518	243	255	1,363
Municipal Wastewater					
Monitoring Inspections (from ECLS)	68	111	94	85	358
Pretreatment Compliance	1	2	0	12	15
Pretreatment Audits	0	0	2	0	2
Compliance Evaluation Inspections	3	14	14	24	55
Compliance Sampling Inspections	0	0	1	1	2
Industrial Wastewater					
Monitoring Inspections (from ECLS)	79	96	89	81	345
Compliance Evaluation Inspections	14	15	9	10	48
Compliance Sampling Inspections	0	0	1	0	1
Compliance/TA Inspections	0	0	0	1	1
Storm Water					
Compliance/TA Inspections	53	58	44	23	178
NOT Inspections (from ECLS)	41	279	185	209	714
Active Permit Inspections (from ECLS)	15	19	60	60	154
No Exposure Inspections (from ECLS)	2	11	3	11	27

Operator Certification – New Certified Examinations

Water Operator	246	219	136	19	620
Wastewater Operator	194	199	136	13	542
Water Laboratory Operator	34	26	25	0	85
Wastewater Laboratory Operator	17	40	8	7	72

Permit Administration – Water Quality Permitting

Construction Applications/Permits Issued

Public Water Supply Received	142	156	112	119	529
Public Water Supply Issued	120	146	144	153	563
Water Well Received	4	5	6	6	21
Water Well Issued	1	4	9	8	22
Municipal Wastewater Received	89	114	74	67	344
Municipal Wastewater Issued	74	94	78	82	328

Municipal Wastewater Applications/Permits Issued

Discharge Applications Received	12	17	15	13	57
Discharge Permits Issued	10	16	19	11	56

Industrial Wastewater Applications/ Individual Permits Issued

Applications Received	12	7	6	7	32
Permits Issued	23	6	6	3	38

Storm Water

Construction Authorization Processed (from ECLS)	381	208	287	398	1,274
Multi-Sector Industrial Authorization Processed (from ECLS)	63	32	45	27	167

Other Industrial General Permits

Applications Received	8	16	9	3	36
Authorizations Issued	15	14	14	3	46

Other Municipal General Permits

Applications Received	0	1	1	0	2
Authorizations Issued	0	0	13	1	14

Sludge Management Applications/Plans Approved

Applications Received	0	0	0	0	0
Plans Approved	0	0	0	0	0

Total Permits Issuance > Timelines

Total Permit Protest Hearings	0	0	0	0	0
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