

# **OKLAHOMA**

## **DEPARTMENT OF ENVIRONMENTAL QUALITY**



# **2021 ANNUAL REPORT**





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DEPARTMENT OF ENVIRONMENTAL QUALITY  
**2021 ANNUAL REPORT**



***"We know we belong to the land  
And the land we belong to is grand!"***

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# Message from the Executive Director

This has been another year of challenges for our staff as we continue to work through the pandemic. Fiscal year 2021 saw most of our employees in telework status; however, some staff were required to remain in office almost full time to continue the critical processes that ensure DEQ’s ability to fulfill its mission of protecting public health.

In February, Oklahoma experienced unprecedented low temperatures which impacted a multitude of water systems throughout the state. DEQ field staff worked long hours in harsh conditions, coordinating with local water system operators and sister agencies to help provide safe drinking water for Oklahomans. DEQ’s State Environmental Laboratory remained open seven days a week in the weeks following the winter event to provide constant and convenient service to the state.

In June 2021, DEQ staff who had been working remotely returned to the office. Over the course of the pandemic, DEQ noted the significant benefits of teleworking on the environment with approximately one million pounds of emissions per year eliminated simply by staff commuting less. Also, productivity increased and permit turnaround times were reduced. As such, the agency has now instituted a limited, permanent telework policy to provide eligible employees the option to combine in-office work and teleworking.

Despite the many obstacles faced by our employees, we have worked diligently to carry out our mission. I am incredibly proud of our employees’ dedication, and as always, we go the extra mile for you.

Sincerely,



# Environmental Quality Board



Richard Auer



Perry Mark Barton



John Easton



Shannon Ferrell



David Griesel



Tracy Hammon



Kenneth Hirshey



James Kinder



Alexie Kendrick



Jan Kunze



Steve Mason



Tim Munson



Michael Paque



Billy Sims

The Oklahoma Legislature established the Environmental Quality Board (EQB), comprised of Oklahoma citizens, to provide guidance to the Oklahoma Department of Environmental Quality (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 and 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.

*DEQ would like to thank Jan Kunze for her years of service to the EQB and the State of Oklahoma.*



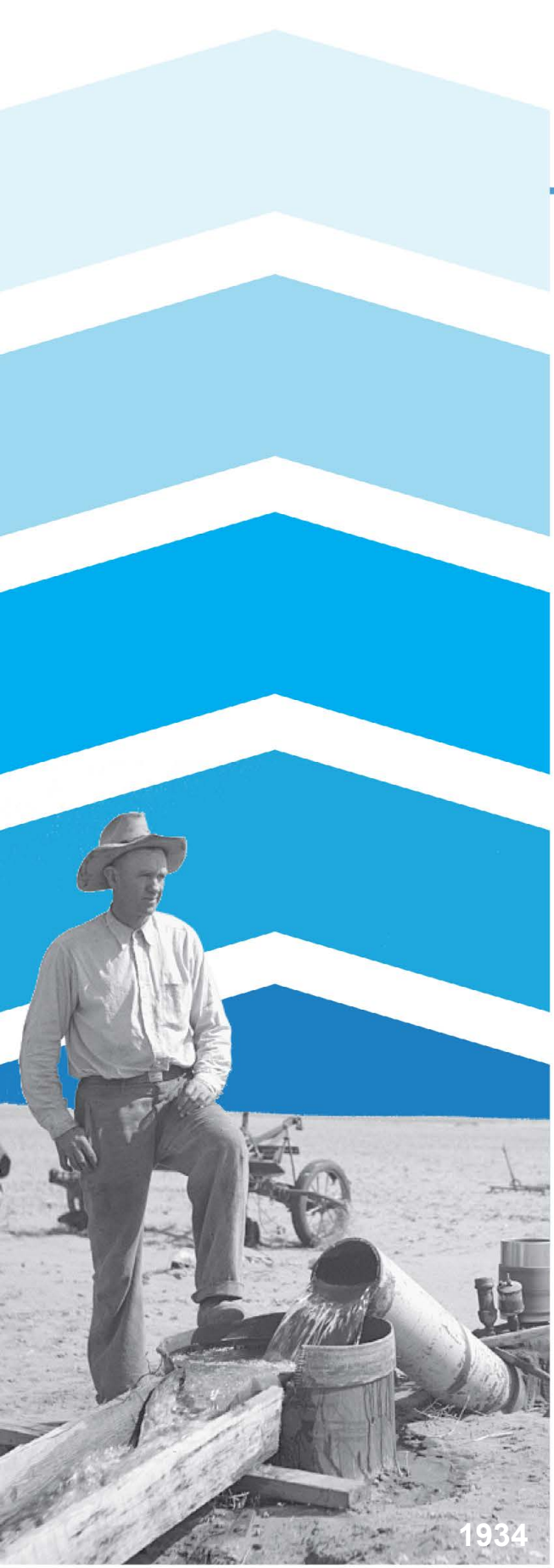


## Board Rulemaking Activities

Chapter	Council	Subject	Adopted	Type	Effective
4 Appendix C	Air Quality Advisory Council	Amended OAC 252:4, Appendix C to insert a notation ensuring that permit holders were aware of recent changes to the public noticing provisions of Chapter 4 for Air Quality permits.	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21
4 SC 7	Air Quality Advisory Council	Amended OAC 252:4, SC 7 to ensure that the State's rules requiring public notice were not less stringent than the federal rules require. This will remove an obstacle in obtaining approval from EPA for relevant portions of Oklahoma's State Implementation Plan (SIP), which will help ensure that the Department retains approval of the state NSR permit program and the Title V operating permit program.	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21
100 SCs 1, 7, 8	Air Quality Advisory Council	Amended OAC 252:100, SCs 1, 7, and 8 to ensure that the State's rules requiring public notice were not less stringent than the federal rules require. In addition, the formal adoption of the FESOP structure, the formal designation of the "enhanced" NSR procedure, and the new option to follow the "traditional" NSR procedure will ensure continued enforceability of permits issued by the Department while offsetting some new requirements with new alternatives to expedite the process of permit issuance. Changes made to the DEQ rules to bring them into alignment with federal requirements will remove an obstacle in obtaining approval from EPA for relevant portions of Oklahoma's State Implementation Plan (SIP), which will help ensure that the Department retains approval of the state NSR permit program and the Title V operating permit program.	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21
100, SC 2, Appendix Q	Air Quality Advisory Council	Amended OAC 252:100, SC2 and Appendix Q to incorporate the latest changes to EPA regulations, primarily those relating to the National Emission Standards for Hazardous Air Pollutants (NESHAP) and New Source Performance Standards (NSPS).	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21
110, SCs 3, 5, 9, 11, 13, 15	Air Quality Advisory Council	Amended OAC 252:100, SC2 and Appendix Q to incorporate the latest changes to EPA regulations, primarily those relating to the National Emission Standards for Hazardous Air Pollutants (NESHAP) and New Source Performance Standards (NSPS).	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21
205 SC 3	Hazardous Waste Management Advisory Council	Amended OAC 252:205, SC 3 to make DEQ's hazardous waste rules consistent with the federal regulations by incorporating by reference (IBR) the regulations found in 40 CFR Parts 124 and 260-279, revised as of July 1, 2020. The significant rule change for this IBR adds hazardous waste aerosol cans to the universal waste program under the federal Resource Conservation and Recovery Act (RCRA) regulations. This change will provide a clear, protective system for managing discarded aerosol cans by easing regulatory burdens, promoting collection and recycling, and encouraging the development of programs to reduce the quantity of these wastes sent to municipal solid waste landfills or combustors. This rulemaking will ensure that Oklahoma's hazardous waste rules are at least equivalent to the federal rules, as required to maintain program Authorization.	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21
517 SCs 1, 9, 11, 15, 19	Solid Waste Management Advisory Council	Amended OAC 252:517, SCs 1, 9, 11, 15, and 19 to incorporate federal changes and ensure state CCR rules are at least as protective as federal rules. This rulemaking is necessary to maintain Environmental Protection Agency (EPA) authorization of Oklahoma's CCR regulatory program.	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21

Chapter	Council	Subject	Adopted	Type	Effective
606 SC 1	Water Quality Management Advisory Council	Amended OAC 252:606, SC 1 to ensure the Oklahoma Pollutant Discharge Elimination System (OPDES) is in compliance with the Department's delegation agreement with the Environmental Protection Agency (EPA), and to ensure Oklahoma retains responsibility for administering the National Pollutant Discharge Elimination System (NPDES) Program in Oklahoma. The Department updated its rules concerning the date of the incorporation by reference for the Code of Federal Regulations from July 1, 2018, to July 1, 2020. The federal regulation updates incorporated are minor and intended to modernize regulations, promote submission of complete permit applications, and clarify regulatory requirements to allow more timely development of NPDES permits that protect human health and the environment.	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9/15/21
631, SC 1	Water Quality Management Advisory Council	Amended OAC 252:631, SC 1 to update the rule concerning the date of the incorporation by reference of certain federal regulations from January 1, 2017, to July 1, 2020, which allows for inclusion of all pertinent CFR parts amended between January 1, 2017, and July 1, 2020, specifically allowing for newly approved alternative testing methods for contaminants listed at 40 CFR 141.21(f) (3) found in Appendix A to Subpart C of Part 141.	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21
641 SCs 1, 3, 12, 15, Appendices H, N	Water Quality Management Advisory Council	Amended OAC 252:641, SCs 1, 2, 12, 15, and Appendices H and N to allow more Oklahomans to use their personal property more freely with these reduced regulations. This emergency action began in response to House Bill 3461, which was introduced during the 2020 Legislative session. During this time, COVID-19 began to take hold and HB 3461 did not make it through the process of becoming law. HB 3461 would have directed the Agency to make these changes and the Department would have proposed these emergency rules, however the COVID pandemic did not allow the bill to be passed. These emergency rules became effective upon signature by the Governor.	EQB 11-10-20 Governor signed 1-4-21	Emergency	1-4-21
641 SCs 1, 3, 12, 15, Appendices H, N	Water Quality Management Advisory Council	Amended OAC 252:641, SCs 1, 3, 12, 15 and Appendices H and N to: (1) add or amend definitions relating to chambers, manufactured media systems, and Zone 1; (2) establish sizing reduction guidelines for Conventional Subsurface Absorption systems (including manufactured media systems); (3) amend aerobic system surface application area totals and establish sizing criteria for small public aerobic systems; and (4) address numbering issues for Appendices referenced in rule text.	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21
690, SC 1	Water Quality Management Advisory Council	Amended OAC 252:690, SC 1 to ensure the Oklahoma Pollutant Discharge Elimination System (OPDES) is in compliance with the Department's delegation agreement with the Environmental Protection Agency (EPA), and to ensure Oklahoma retains responsibility for administering the National Pollutant Discharge Elimination System (NPDES) Program in Oklahoma. The Department updated its rules concerning the date of the incorporation by reference for the Code of Federal Regulations from July 1, 2016, to July 1, 2020. The most significant federal regulation update being incorporated is EPA's and the Department of the Army's redefining and clarifying the scope of "Waters of the United States" federally regulated under the Clean Water Act consistent with the Executive Order signed on February 28, 2017 entitled "The Navigable Waters Protection Rule: Definition of Waters of the United States."	EQB 2-19-21 Governor signed OK HJR1046 6-11-21	Permanent	9-15-21





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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 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 voted in Garry Keele, representing the general public, as Vice Chair for the 2021 calendar year.

It was an active rulemaking year and four meetings were held during fiscal year (FY) 2021. The first meeting was a special meeting in July 2020. Due to health and safety concerns

related to the ongoing COVID-19 pandemic, the meeting was held virtually. The special meeting was held to preview additional significant proposed 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 DEQ's issuance process and public participation procedures for New Source Review (NSR) construction and Title V operating permits, to help ensure that DEQ retains approval of these programs. No rulemaking actions were taken during the special meeting.

The second meeting of FY21 was a regularly scheduled meeting, also held virtually, in October 2020. Proposed changes to Chapter 4 and Chapter 100 permitting rules were brought before the council once again. The AQAC voted to hold the rules over to a continuation meeting in November 2020 for additional revision and deliberation.

The AQAC did recommend for adoption several changes to Chapter 110, Lead-Based Paint Management to update the rules 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.

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.



Member	Professional Realm	Appointing Official	Term Expires
Matt Caves	Electric Utilities	Governor	6/15/2027
Garry L. Keele II **	General Public	Governor	6/15/2026
Gary Collins	Agriculture	Governor	6/15/2024
Jeffrey P. Taylor	Local Government	Governor	6/15/2022
Gregory E. Elliott	Petroleum	Governor	6/15/2026
John Privrat	Transportation	Governor	6/15/2028
Laura Lodes*	Engineering	Governor	6/15/2027
Robert D. Delano, Ph.D.	Higher Education	Governor	6/15/2025
Stephen Landers	Manufacturing	Governor	6/15/2023

\* Chair \*\* Vice-Chair

The virtual November 2020 continuation meeting was the third meeting of FY21. The only rules for consideration at the meeting were the proposed changes to the permitting rules in Chapter 4 and Chapter 100. The AQAC recommended these proposed changes for adoption.

All rules from the October and November 2020 meetings that were recommended to the EQB by the council were subsequently approved by the EQB and approved by the Legislature and Governor. The rules went into effect on September 15, 2021.

The fourth and final meeting of FY21 was

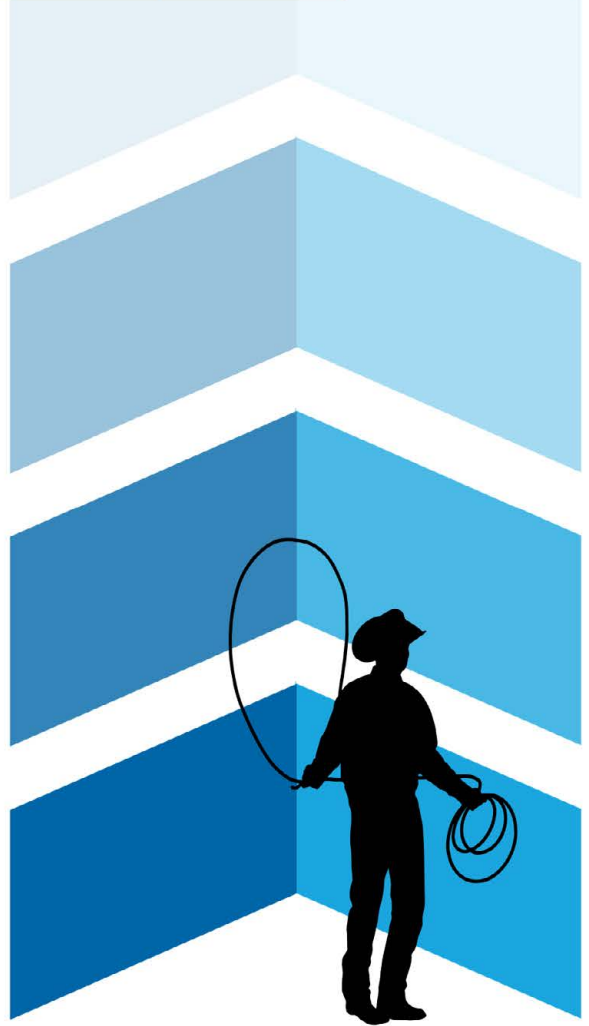
held in-person June 2021 in Oklahoma City. Proposed revisions in Subchapters 8, 37, and 39 were brought before the council as part of DEQ's review of Chapter 100 to remove outdated rule language and/or provide regulatory clarity in response to Governor Stitt's Executive Order 2020-03. The AQAC voted to recommend the proposed changes for adoption.

The council also recommended for adoption proposed amendments to the source obligation provisions for facilities subject to prevention of significant deterioration (PSD) in OAC 252:100-

8-36.2 to more closely align Oklahoma's rules with EPA rules in 40 C.F.R. § 51.166(r). This proposed rulemaking was in response to requests from industry to add the "reasonable possibility" provisions and reduce the record-keeping burden on Oklahoma's permitted PSD facilities.

These proposals are expected to be approved by the EQB later in calendar year 2021. More information on the council's activities can be accessed on DEQ's website at

<https://www.deq.ok.gov/council-meetings/air-quality-advisory-council/>







## Hazardous Waste Management Advisory Council

Member	Professional Realm	Appointing Official	Term Expires
Dale Copeland	Political Subdivision	Governor	3/1/2023
R. Kinnamon Clark	Industry	Governor	3/1/2023
Matt Cobb	Statewide Non-Profit Environmental Association	Governor	3/1/2021
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	9/30/2012
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 virtually on October 15, 2020. The primary purpose of the October meeting was a roll-call vote to approve the annual Incorporation by

Reference (IBR) update. The primary IBR intent was to change the IBR date to 2020 to ensure equivalency with the federal program. Specific rule changes included new EPA rules related to aerosol can

management. The rule adds this recyclable waste stream to the list of wastes eligible to be handled as Universal Waste. The IBR ensures that Oklahoma's hazardous waste rules are at least equivalent to the federal rules. The

division made a budget presentation, the council approved the minutes of the previous meeting, meeting dates were set for next year, and the meeting was adjourned.



## Hazardous Waste Fee Report

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 \$0.00 received in income to the Hazardous Waste Fund in FY 2021, 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 2021, DEQ provided mercury collection and disposal services for 43 Oklahoma households.





## Water Quality Management Advisory Council

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. The WQMAC typically meets three or 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. Due to the unprecedented pandemic, two of the meetings, July 21 and September 29, 2020, were held virtually.

WQMAC reviews and recommends rules governing water quality to the EQB. Currently, 23 chapters of rules are under the authority of the 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 2021, the WQMAC met on July 21, 2020, September 29, 2020, and January 12, 2021. The council passed emergency rule changes to Chapters 641 and permanent rule changes to 606, 631, 641 and 690.

Member	Professional Realm	Appointing Official	Term Expires
Ron Jarman	General Public	Governor	3/1/2023
Robert Carr	Certified Waterworks and Wastewater Works Operator for Municipal Waterworks and Wastewater Works Facility	Pro Tempore	10/31/2022
Mary E. Mach	Environmental Organization	Governor	3/1/2024
Willard B. Smith	Engineering	Governor	3/1/2022
Rick J. Moore	Industry	Pro Tempore	4/2/2023
Steve Sowers **	Oil Field Related	Pro Tempore	3/11/2024
Duane L. Winegardner	Geology	Pro Tempore	3/11/2024
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	
Brian Duzan *	Private Laboratory	Governor	3/1/2023
Mark Matheson	Certified Waterworks and Wastewater Works Operator in Rural Water or Sewer District	Speaker of the House	6/30/2019

\* Chair \*\* Vice-Chair

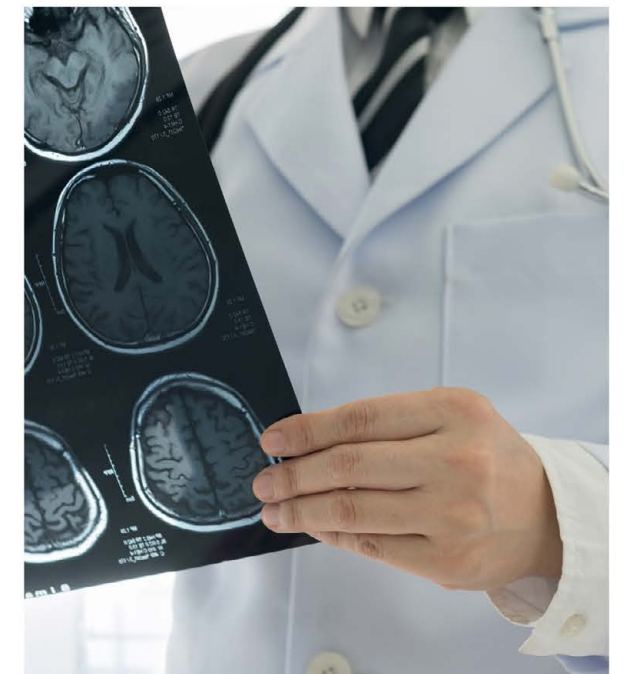
## Radiation Management Advisory Council

Member	Professional Realm	Appointing Official	Term Expires
Karen Jennings**	Environmental Organization	Governor	7/1/2024
Jeffrey Lux	Engineering Profession	Governor	7/1/2023
Carl Noble	Industry Located in this State Which Uses Sources of Radiation in its Manufacturing or Processing Business	Governor	7/1/2022
Christopher Honigsberg	General Public	Pro Tempore	1/21/2024
L. David Alcorn	Industrial Radiography	Pro Tempore	1/21/2024
George MacDurmon*	Faculty of Institute of Higher Learning of University Status	Pro Tempore	1/21/2024
Vacant	Transportation Industry	Speaker of the House	1/21/2024
Shawn Heldebrandt	Medical Industry	Speaker of the House	6/30/2021
Chad Mashburn	Petroleum Industry	Speaker of the House	6/30/2020

\* Chair \*\* Vice-Chair

The Radiation Management Advisory Council held a virtual meeting on September 24, 2020. Elections for Chair and Vice Chair were held. The staff gave a report on how the pandemic had affected activities and the agency's adaptations. The Council Chair commended the staff on how the Radiation Section had handled the pandemic. A short briefing on future rulemaking activities was given. The Radiation

Management Advisory Council held a virtual meeting on March 25th, 2021. Staff reported on developments since the last meeting, and a detailed briefing on proposed rules was given. The proposed rules will maintain compatibility with changes to the Nuclear Regulatory Commission rules, confirm compliance with the statute on occupational licensing, and eliminate some redundant or unnecessary rules.





# Solid Waste Management Advisory Council

Member	Professional Realm	Appointing Official	Term Expires
Jody Reinhart	Statewide Environmental Organization	Governor	3/1/2022
Robert Joyce	General Public	Governor	3/1/2023
Rodney L. Cleveland	County Commissioner	Governor	3/1/2024
April Sacha	Industry Generating Solid Waste	Pro Tempore	3/16/2023
Jim Linn	Political Subdivision	Pro Tempore	3/1/2022
Chris Shaefer	Geology	Pro Tempore	3/1/2024
Brenda Merchant**	Transportation	Speaker of the House	12/4/2020
M. Todd Adcock	Solid Waste Disposal Industry	Speaker of the House	3/7/2020
Greg Phillips	Waste-to-Energy	Governor	6/30/2022
Jeffrey Shepherd*	Engineering	Speaker of the House	10/31/2019

\* Chair \*\* Vice-Chair

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 Environmental Quality Board (EQB). Once approved by EQB,

the rules proceed to the Legislature and the Governor for final approval. The SWMAC is composed of ten members who represent specific areas of expertise as described by 27A O.S. 2-2-201(E), in the Oklahoma Environmental Quality Code.

Two regular meetings of the SWMAC were convened during the fiscal year. Revenue and spending reports for the previous year and budget report for the upcoming year, were approved for the Electronic Waste Program, Solid Waste

Unit, and Used Tire Recycling Unit. Amendments were accomplished to OAC 252:517, Disposal of Coal Combustion Residuals from Electric Utilities, in response to changes to 40 CFR 257 Subpart D. Amendments included revisions to certain closure deadlines for surface impoundments, new alternative closure provisions, establishment of four new groundwater protection standards, changes to groundwater reporting requirements and other non-substantive changes.



# FY2021 Solid Waste Fees Budgeted

FY2021 Income (receipts for 07/01/2020 - 06/30/2021) \$ 5,860,587

	FY 2021 Budget for Solid Waste Program	FY 2021 Expenditures as of 08/05/2021	FY 2021 Remaining Encumbrances
Salaries and other Compensation Expenses	3,052,612	2,990,762	-
Travel Expenses	99,962	11,674	175
Administrative Expenses	293,418	350,771	47,354
Lab Equipment, Furniture & Building Construction, & Air Monitoring Sites	24,430	2,166	74,250
Indirect Costs (FY2021 rate is 25.74%)	785,742	769,822	-
Professional Services/Local Governments & Non-Profit Projects & Programs			
Oklahoma County Circuit Engineering & Non-Profit Projects & Programs	35,000	35,000	-
Environmental Education Technical/Professional Services	300,000	456,776	37,524
Local Governments Miscellaneous Projects	300,000	262,732	55,700
Community Based Environmental Protection	450,000	228,577	172,778
Projects to Implement County Plans	620,000	538,160	81,840
Recycling Equipment	200,000	-	-
<b>Total Budget for Contracts</b>	<b>1,905,000</b>	<b>1,521,245</b>	<b>347,842</b>

<b>TOTALS</b>	<b>\$ 6,161,165</b>	<b>\$ 5,646,440</b>	<b>\$ 469,622</b>
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# FY2022 Solid Waste Fees Budgeted

	FY 2022 Budget for Solid Waste Program
Salaries and other Compensation Expenses	3,036,230
Travel Expenses	67,064
Administrative Expenses	373,693
Lab Equipment, Furniture & Building Construction, & Air Monitoring Sites	32,520
Indirect Costs (FY2022 rate is 24.17%)	733,857
Professional Services/Local Governments & Non-Profit Projects & Programs	
Oklahoma County Circuit Engineering & Non-Profit Projects & Programs	35,000
Environmental Education Technical/Professional Services	350,000
Local Governments Miscellaneous Projects	300,000
Community Based Environmental Protection	400,000
Projects to Implement County Plans	620,000
Recycling Equipment	200,000
Total Budget for Contracts	1,905,000

**TOTALS** \$ 6,148,364

\* 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, which is not reflected in the totals above.

# Mission Statement

## Our Mission:

*To protect and improve public health and our environment.*

## Our Vision:

*To lead the nation in fostering a healthy and sustainable future through effective and innovative environmental actions.*





Employee of the Quarter/Year



1ST QUARTER &

**Malcolm Zachariah**

★ ★ ★  
**EMPLOYEE**  
— OF THE —  
**YEAR**



**Q2**

2ND QUARTER

**Toni Payne**



**Q3**

3RD QUARTER

**Michelle Woods**



**Q4**

4TH QUARTER

**Patrick Harjo**



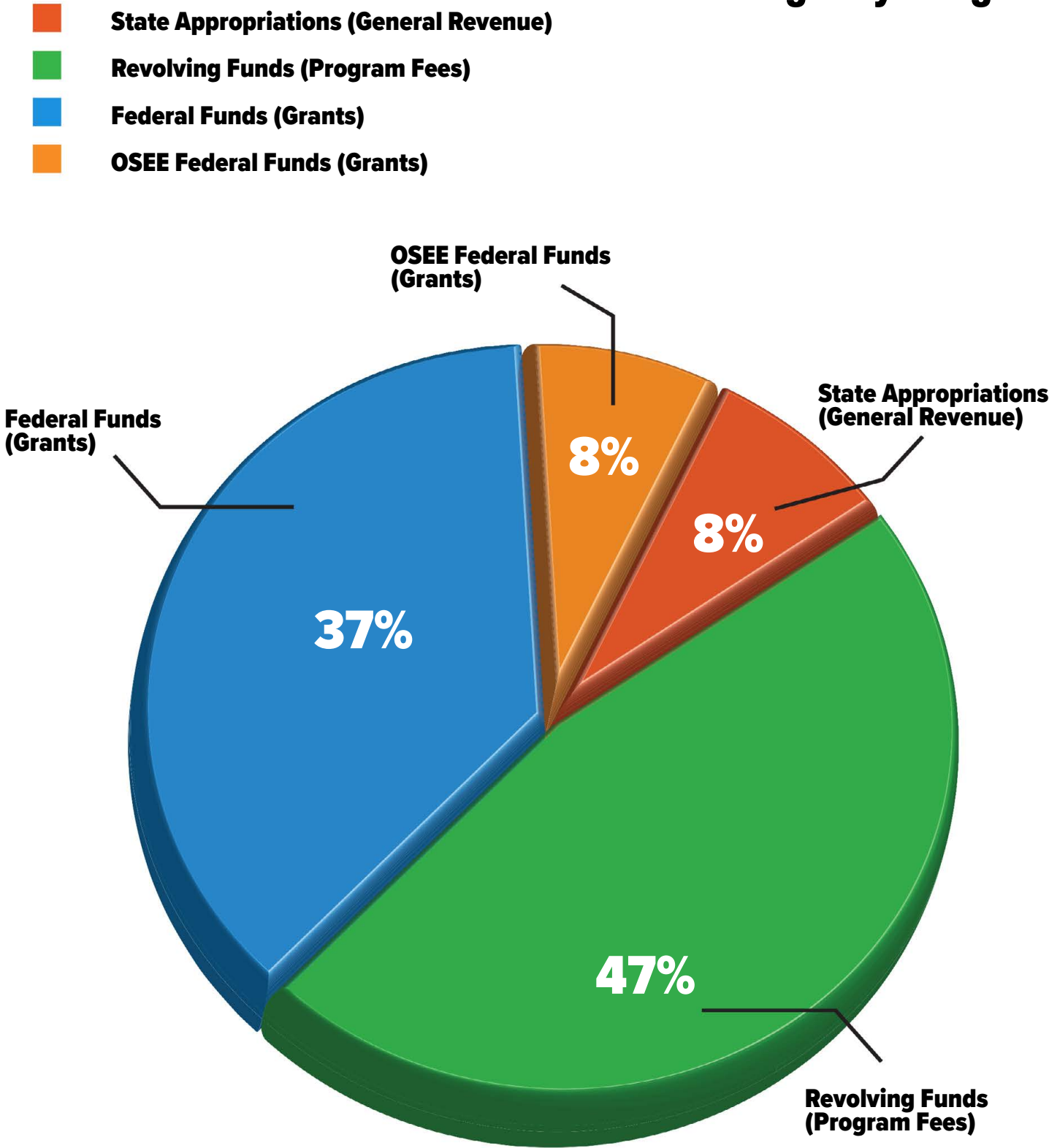


Organizational Chart





# Agency Budget



# Environmental Quality Report

*For consideration and approval by  
the Environmental Quality Board on November 10, 2020*

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 EQB prior to its submittal to the Governor and legislative leaders.





## I. ANNUAL BUDGET REQUEST

DEQ is slated to receive \$7,188,879 in state appropriated funding for current FY2021. This represents a decrease of over 10% from the FY2020 appropriation of \$8,009,249, which contained some “one-time” funding that comprises a large part – though not all – of the difference.

DEQ, with the approval of the EQB, is requesting a general revenue appropriation of \$8,027,346 for FY2022. The specifics of this request are contained in Appendix A to this report.

DEQ’s total budget for FY2022 – 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 FY2021 stands at just over \$97,000,000, comprised of approximately 8% state general revenue funding, 37% federal funding for DEQ, 8% federal funding for the Office of the Secretary of Energy and Environment, and 47% 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.

## II. FEDERAL MANDATES

### AIR QUALITY DIVISION (AQD)

#### AIR POLLUTION CONTROL

### Volkswagen Settlement

Oklahoma’s share of Volkswagen’s emission testing “defeat device” settlement is approximately \$20.9 million, spread over multiple years. DEQ is the Lead Agency to act on behalf of the State of Oklahoma with respect to the settlement proceeds, with oversight provided by the Oklahoma Secretary of Energy & Environment. Oklahoma will use the money to achieve NOx reductions.

Phase 1 of Oklahoma’s plan consists of two program elements. The first element is grants for the Alternative Fuel School Bus Program. The second element involves Zero Emissions Vehicles Supply Equipment and Infrastructure, also known as ChargeOK -

Oklahoma Electric Vehicle Charging Grant Program. Grants under Round 1 of each element have been awarded and work is proceeding. Projects under Round 2 of the ChargeOK program have been selected and work will begin once the necessary memorandums of understanding are finalized. The application period for Round 2 of the Alternative Fuel School Bus Program is open until December 4, 2020.

The award process is also underway for a partial reimbursement program to incentivize replacement or repowering of eligible older heavy or medium-duty trucks and buses.

### Ozone National Ambient Air Quality Standard

All of Oklahoma remains designated as attainment/

unclassifiable for the 70 ppb 8-hour National Ambient Air Quality Standard (NAAQS) for ozone. Fortunately both the 2019 and 2020 ozone seasons have been favorable, with relatively few exceedances.

AQD continues to cooperate with the Councils of Governments (COGs) across the state on educational efforts and voluntary measures. AQD will also continue the work started in

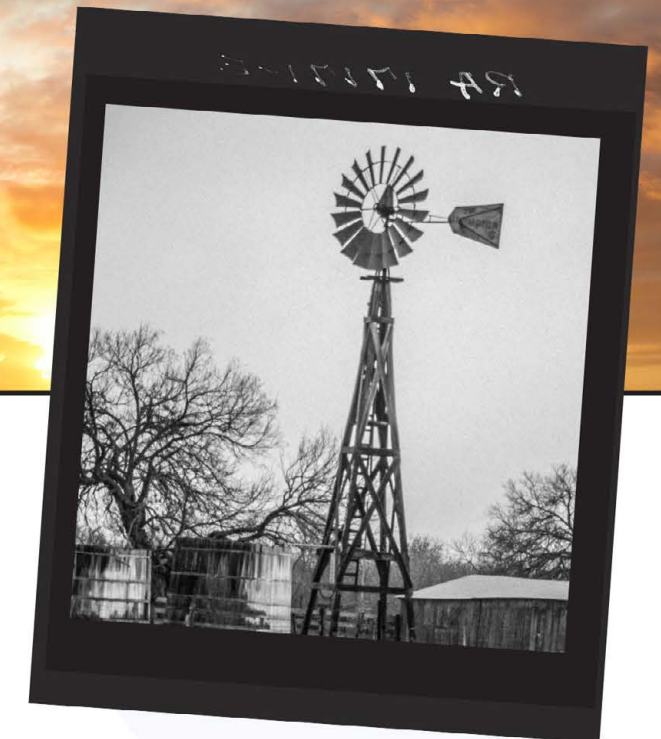
2019 to investigate sources emitting the precursors of ozone (NOx and volatile organic compounds) to help determine if local sources are impacting values in the Oklahoma City area.

### Regional Haze

The goal of the 1999 EPA regional haze rule is to achieve natural visibility conditions at all designated Class 1 Areas by 2064. Oklahoma must have and periodically update

a long-term strategy for reducing visibility impairment at its Class 1 Area, the Wichita Mountains Wilderness Area (WMWA). The next State Implementation Plan (SIP) submittal is due in July of 2021. This SIP must present a long-term strategy to meet a 2028

reasonable progress goal for visibility improvement at the WMWA. AQD is working closely with the Central States Air Resource Agencies Association, neighboring states, tribal partners, federal land managers, and EPA.



<sup>1</sup> Because requests for state appropriations are due by October 1, the appropriation request information in this portion of the Environmental Quality Report was previously considered and approved by the Environmental Quality Board at its September 15, 2020, meeting.

<sup>2</sup> 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. It should be noted that the writing of this report occurred before the 2020 general election, the result of which could affect the future course of some of the items mentioned.



### **Affordable Clean Energy (ACE) Rule**

The ACE Rule, which became effective in September of 2019, included repeal of the Obama Administration's Clean Power Plan, establishment of emission guidelines for greenhouse gas (GHG) emissions from existing coal-fired power plants, and revisions to the timeline that states must follow in submitting SIPs to address federal emission guidelines. The ACE rule includes requirements for heat rate (efficiency) improvements applicable to the power plants. States are expected to address the requirements of the rule by submitting a SIP revision, specifying how the state will implement the rule. At this time, AQD does not plan to initiate rulemaking to address the ACE rule. Instead, consent agreements and construction permits will be used;

this approach will be incorporated into the SIP. AQD is currently in discussions with two utilities and EPA Region 6 on the development of performance standards for the utilities' respective generating units. The SIP is due to EPA in July of 2022.

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

#### **SOLID WASTE**

#### **Coal Combustion Residuals (CCR)**

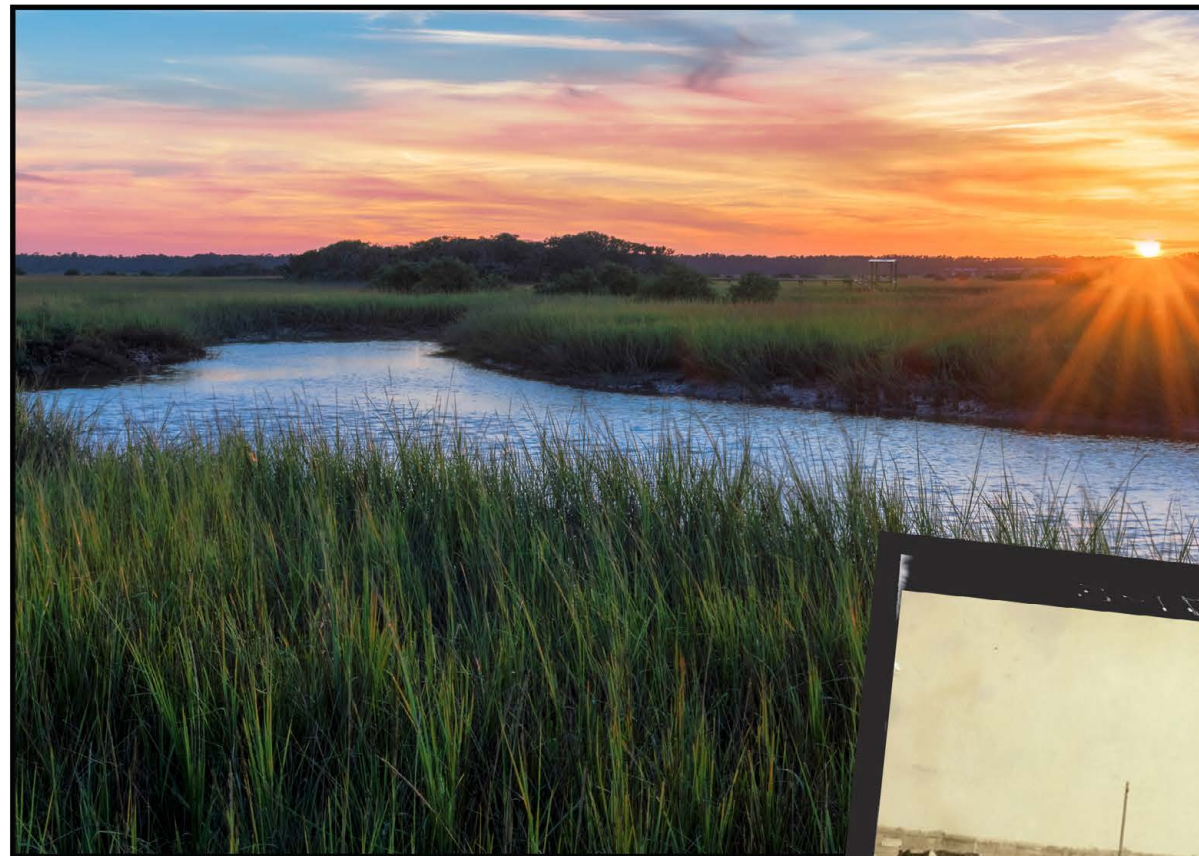
EPA has revised portions of the federal CCR rule, including changes to surface impoundment liner requirements. Revisions need to be made to DEQ's Chapter 517 rules to follow suit, to ensure Oklahoma rules remain at least as stringent as the federal rule. DEQ also plans to pursue state incorporation of revised federal standards relating to extended

timelines under specific closure scenarios and to the addition of groundwater protection standards for new constituents. Revised rules must be submitted to EPA for review

and seek reauthorization of the CCR program from EPA.

#### **SUPERFUND**

#### **PFOS and PFOA Remediation**



and reauthorization. Significant time and effort will be required of LPD staff to accomplish the revisions to Chapter 517

In early 2020, EPA issued interim recommendations to use 40 parts per trillion (ppt) as a screening level for perfluorooctanoic

acid (PFOA) and/or perfluorooctane sulfonate (PFOS) for groundwater at sites investigated under Superfund. Screening levels are risk-based values used to determine if compounds that

may be present at a site warrant further attention. The EPA guidance also recommends using EPA's PFOA and PFOS Lifetime Drinking Water Health Advisory level of 70 ppt as the preliminary remediation goal (PRG) for contaminated groundwater that is a current or potential source of drinking water, if no state or tribal Maximum Contaminant Level (MCL) or other applicable or relevant and appropriate requirements

(ARARs) are available or sufficiently protective. PRGs are generally initial targets for cleanup, which may be adjusted on a site-specific basis as more information becomes available. While this may be the most appropriate way to deal with PFOA and PFOS groundwater contamination while regulation is contemplated, it may pull facilities into additional characterization and remedial actions for a contaminant for which treatment technologies are not well developed.

#### **OTHER**

#### **Toxic Release Inventory (TRI)**

TRI is a comprehensive report containing information compiled from facilities in different industry sectors.

Facilities must report annually how much of each chemical subject to TRI is released to the environment and/or managed through recycling, energy recovery, and treatment. Oklahoma has approximately 380 facilities that file a TRI report. Reports are filed electronically through software that is managed and administered by EPA.

In February of 2020, EPA published an updated list of Per- and Polyfluoroalkyl Substances (PFAS) added to the TRI by the National Defense Authorization Act. This updated list contains a total of 172 individual PFAS chemicals, bringing the total list under TRI to 767 individual chemicals and 33 chemical categories. The amounts of PFAS chemicals that will be reported and the number of Oklahoma facilities that will be affected by this change are unknown.







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

**WASTEWATER / WATER REUSE**

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

EPA is in the process of determining revisions to the Effluent Limitation Guidelines (ELGs) for discharges related to oil and gas exploration and production. DEQ will become the



permitting authority in Oklahoma for such discharges, once delegation of the program from EPA Region 6 occurs. The workload impact on DEQ depends on the magnitude of the revisions EPA makes to the ELGs and when permitting authority is delegated to DEQ. 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. EPA finalized the WRAP in February 2020. 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. Oklahoma's efforts on aquifer storage and recovery (ASR), non-potable reuse, and indirect potable reuse rule development have been recognized.

#### ***DRINKING WATER***

##### ***Revised Lead and Copper Rule***

EPA has announced the final Revised Lead and Copper Rule

will be released from the Office of Management and Budget soon and it probably will be signed in the fall of 2020. It is expected to modify the existing Lead and Copper Rule with respect to sampling, corrosion control, lead line replacement, etc. Public water supply (PWS) systems will be significantly impacted, and DEQ's workload with respect to lead will increase, which will

affect WQD, ECLS, and SELS. A study by Cadmus, a national drinking water consulting firm, estimated that a medium-sized state primacy agency (Oklahoma's category) should anticipate adding 12-13 staff to fully implement the rule.





**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 his administration. 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.**

While not mandated by AWIA, 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. The pilot program has been completed with the initial sampling. DEQ will need continued additional funding to meet obligations of sampling, testing and analysis. Additionally, staff will be working with partners like the state Department of Education to identify funding sources for remediation when plumbing issues are identified.

- **Asset Management.** DEQ's capacity development strategy must 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 has developed a free electronic asset management tool for water and wastewater systems to utilize. If DEQ chooses to continue to contract with a technical assistance provider, like the Oklahoma Rural Water Association, to assist with the efforts, 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 of 2020 to June of 2021, depending on system size. DEQ will be providing technical assistance to the PWS systems and reporting to EPA. This is a significant effort for DEQ staff and partners like the Oklahoma Rural Water Association.

**Small and Disadvantaged Communities Grant Program**

This program, established under the Water Infrastructure Improvements for the Nation Act (WIIN), is designed to assist PWS systems in underserved, small, and/or disadvantaged communities in meeting Safe Drinking Water Act 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. 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.

**Microbial and Disinfection By-Products (MDBP) Rules**

EPA has announced a review of rules related to disinfection and the byproducts formed during the drinking water treatment process. The following rules are subject to the review:

- **Surface Water Treatment Rule**
- **Interim Enhanced Surface Water Treatment Rule**
- **Long-Term 1 Enhanced Surface Water Treatment Rule**
- **Stage 1 and Stage 2 Disinfectant and Disinfection By products Rules**

DEQ staff will begin working on this issue in late 2020. On

October 14-15, 2020, EPA held the first stakeholder meeting. Most speakers were researchers who are seeking to add multiple additional disinfection byproduct MCLs at very low levels. There will be significant time spent by senior managers in the WQD working with EPA on the policy aspect of this rule review. Staff and managers that are technical experts will be spending substantial time gaining an understanding of the EPA proposals and how they will impact PWS systems in Oklahoma. Once final regulatory decisions are made, DEQ staff (WQD, ECLS and SELS) will be working together to provide technical assistance to the regulated community.

MISCELLANEOUS

**Per- and Polyfluoroalkyl Substances (PFAS)**

There is mounting pressure on EPA to establish drinking water Maximum Contaminant Levels (MCLs), wastewater discharge and biosolids standards, groundwater cleanup levels, etc., for PFAS compounds. Action on any of these chemicals will likely result in the need for DEQ to undertake rulemaking, increase staffing, implement training for the regulated community and DEQ staff, and procure additional laboratory equipment. DEQ staff are already fielding numerous questions from facilities and the general public, and are participating in national and state workgroups on the subject.



### III. LEGISLATIVE RECOMMENDATIONS

The following is proposed as a possible DEQ “request” bill for the 2021 Oklahoma regular legislative session.

#### PFAS WASTE DISPOSAL

DEQ plans to request a bill that would be designed to minimize the risk that any disposal of PFAS waste in the state would result in contamination of environmental media. DEQ is con-

cerned that to date there has been little or no vetting of the adequacy of disposal options with respect to PFAS chemicals, which are highly persistent. DEQ would like to see legislation that, at a minimum, either itself requires or

authorizes rulemaking to require that disposal facilities (e.g., landfills and incinerators) certify and demonstrate that their methods of disposal or treatment of PFAS wastes are safe and effective with respect to those wastes.

## APPENDIX A

On-Going Requests	FY 2021 Appropriation	FY 2022 Requested Increase	FY 2022 Total Appropriation Request
State Environmental Laboratory Services	\$2,585,523	\$468,525	\$3,054,048
Environmental Complaints & Local Services	3,207,074	84,942	3,292,016
Water Quality Division	1,396,282	285,000	1,681,282
<b>Subtotal On-Going Requests</b>	<b>\$7,188,879</b>	<b>\$838,467</b>	<b>\$8,027,346</b>
One-Time Requests			
<b>TOTAL REQUESTS</b>	<b>\$7,188,879</b>	<b>\$838,467</b>	

#### SELS - Analysis and Quality Assurance

- Two Environmental/Chemical Laboratory Scientist analytical positions
- Add technical and analytical expertise and depth
- Meet increasing demands of the National Primary Drinking Water Regulations and Clean Water Act regulations, and maintain the SELS’s role as the State Principal Laboratory
- Improve data quality and reporting times

**Cost: \$ 187,409**

#### SELS - Customer Assistance

- Three Environmental/Chemical Laboratory Scientist positions within the Customer Assistance Group
- Two positions primarily dedicated to customer support and technical assistance
  - Focus on assistance to small drinking water systems (compliance sample scheduling, on-site sample collection, technical assistance, data interpretation, on-site training)
  - Also would provide field sampling training and technical and sample collection assistance to other DEQ divisions and programs
- Third position would expand the depth and expertise of staff involved in data management
  - Enable SELS to more effectively respond to challenging reporting and accreditation requirements
  - Free technical staff to focus on analytical assignments rather than split time between the bench and data management
  - Improve the efficiency of workflows for laboratory staff as well as data quality, traceability, and reporting times

**Cost: \$ 281,116**





ECLS - Field Position

- One Environmental Specialist position to help offset elimination of four field positions since FY2017
- ECLS has reduced the number of ECLS local offices, decreased facility inspection frequency (water, wastewater, solid waste), and scaled back on-site septic system oversight
- Even with these reductions, staffing model indicates ECLS needs two more full-time employees
- Funding a position would enhance:
  - Responsiveness to technical assistance and complaint requests from citizens
  - License/certification turnarounds
  - Assistance to small communities with drinking water, wastewater and solid waste problems
  - Response to natural and manmade disasters

Cost: \$ 84,942

WQD - Public Water Supply Compliance

- Two Environmental Program Specialist positions in the Public Water Supply Compliance Section
- Assist small communities in Oklahoma with monitoring and reporting requirements for public water supplies under the Safe Drinking Water Act
- Emphasis on compliance with the new federal Lead and Copper Rule

Cost: \$ 190,000

WQD - Public Water Supply Capacity Development

- One Environmental Program Specialist position in the Public Water Supply Capacity Development Section
- Program includes water loss audits, leak detection, rate-setting training, asset management, etc.
- Increase the ability of DEQ to work with more systems in the Governor’s Strategic Alliance effort that includes the Oklahoma Secretary of Energy & Environment, Oklahoma Water Resources Board, and Oklahoma Rural Water Association

Cost: \$ 95,000

APPENDIX B

Salaries and other Compensation Expenses	47,996,218
Professional Services	17,749,850
Travel Expenses	955,239
Administrative Expenses	7,567,255
Lab Equipment, Furniture & Building Construction, and Air Monitoring Sites	3,421,185
Local Governments & Non-Profit Projects and Programs	19,646,251
TOTAL BUDGET	97,335,998

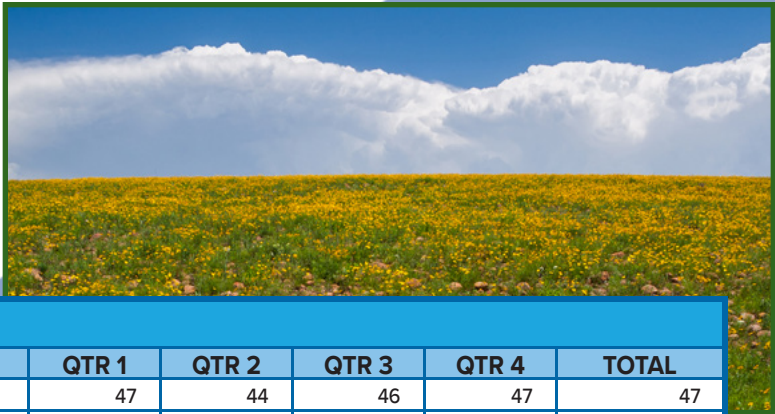
FUNDING SOURCES		
19011	Lab Equipment Appropriation	285,526
19101	Rural Water Sustainable Infrastructure/TA Support	478,668
19101	General Appropriations	6,710,211
20000	Revolving Fund	44,465,570
21000	Environmental Education Fund	19,000
22000	Hazardous Waste Penalty Fund	100,000
22500	Certificate Fund	910,000
40000	Federal Funds	30,445,625
40300	Brownfields Revolving Loan Fund	300,000
40500	Environmental Settlement Fund (Federal)	5,718,113
41000	Water Management Federal Fund	7,903,285

TOTAL FUNDING SOURCES 97,335,998





# Agency Statistics



## Air Quality Division

Ambient Monitoring	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Continuous Monitoring Systems	47	44	46	47	47
Non-continuous Stations	12	12	12	12	12
Toxics Stations	8	8	8	8	8

Number of Air Samples Collected (continuously/hourly)					
Ozone	26,036	24,434	26,628	26,896	103,994
Sulfur Oxides	16,990	12,567	12,336	12,823	54,716
Total Oxides of Nitrogen	5,943	6,515	6,135	5,530	24,123
Nitrogen Dioxide-NO2	5,943	6,515	6,135	5,530	24,123
Nitrogen Oxides-NO	5,943	6,515	6,135	5,530	24,123
Carbon Monoxide	6,382	6,132	6,336	6,059	24,909
PM-10	4,406	4,367	4,201	3,988	16,962
PM-2.5	19,379	19,145	18,013	19,178	75,715

Special Purpose					
Ozone	6,582	4,781	2,969	6,443	20,775
NOy	54	1,405	1,709	2,117	5,285
PM10	19,378	18,245	17,411	19,490	74,524
PM2.5	4,405	3,467	3,599	4,300	15,771
Black Carbon	2,202	2,199	2,150	2,132	8,683
H2S	4,334	2,844	4,228	3,619	15,025
Special Purpose Totals	36,955	32,941	32,066	38,101	140,063

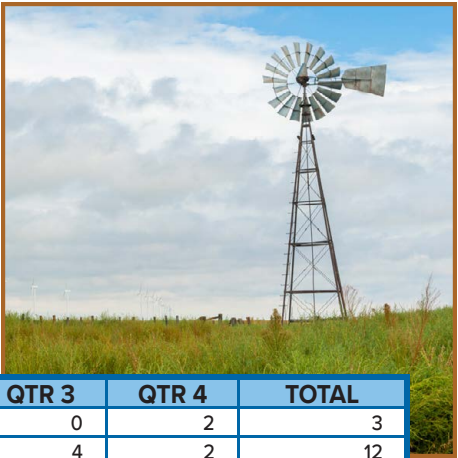
Number of Air Samples Collected (non-continuous/daily)					
PM-10	58	56	53	57	224
PM-2.5	225	234	198	231	888
PM-Coarse	50	48	46	49	193
Toxics	244	262	234	233	973
Lead	24	23	24	28	99

Compliance					
Number of days when ozone was within the 8-hour NAAQS	90	92	90	84	356
Number of total monitors demonstrating compliance (out of 47 total)	47	47	47	47	47

Excess Emissions Monitoring					
Excess Emissions Reports	185	189	175	229	778

Emissions Inventory - FY2021					
Billings					
Companies with Major Facilities	111	0	16	0	127
Companies with Major and Minor Facilities	465	0	0	0	465
Companies with Minor Facilities	61	0	2	0	63

Inventories Received					
Companies	37	5	539	344	925
Facilities	74	6	4,248	8,402	12,730



# Air Quality Division

Air Enforcement	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Notices of Violation	0	1	0	2	3
Formal Actions	3	3	4	2	12
Level III Violation Letters	2	2	1	5	10
Alternate Enforcement Letters	23	15	17	22	77
Self Disclosures Received	46	23	29	25	123
Asbestos Actions	3	4	8	0	15
Fines Paid (in thousands of dollars)	5.063	26.504	34.137	3.25	68.954
SEP Dollars (in thousands)	0.00	49.513	0.00	63.818	113.331
Total Number of SEPs	0	1	0	2	3
Reductions in Tons of Emissions from Enforcement Actions	0	0	45.6	0	45.6
Complaints Resolved within 90 Days	8	3	5	5	21
Complaints Unresolved, but still within 90 day deadline	5	2	12	8	27
Total Complaints	13	5	17	13	48
Total Facilities in significant Non-compliance (This category is not cumulative)	20	19	21	25	Not Cumulative
New Facilities in significant Non-compliance	0	0	0	0	0

Air Inspections					
Monitoring Inspections (from ECLS)	0	0	0	0	0
On-Site Compliance Evaluations	3	16	51	135	205
Off-Site Compliance Evaluations	1,010	442	895	1,175	3,522
Asbestos Inspections	109	192	126	257	684
Stack Tests Observed	0	0	0	0	0
Stack Tests Reviewed	451	315	205	275	1,246

Lead Based Paint					
Lead Based Paint Certifications					
Inspector	0	1	0	5	6
Risk Assessor	5	4	0	73	82
Abatement Worker	0	2	0	5	7
Supervisor	0	2	0	29	31
Project Designer	0	0	0	0	0
Firm	0	2	0	57	59

Lead Based Paint Compliance Inspections	3	1	1	0	5
Lead Based Paint Enforcement Actions	0	0	0	0	0
LBP Enforcement Actions resulting in LBP contractor returning to substantial compliance with program requirements	0	0	0	0	0

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

Air Quality Permitting					
Construction Applications/Permits Issued					
Minor Received	46	59	34	49	188
Minor Issued	43	51	33	43	170
Major Received	1	1	4	6	12
Major Issued	5	6	2	2	15
PSD Received	0	0	1	0	1
PSD Issued	0	0	1	0	1



Operating Applications/Permits Issued	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Minor Received	356	152	174	230	912
Minor Issued	323	222	117	260	922
Major Received	20	32	19	20	91
Major Issued	18	20	16	22	76
PSD Received	0	0	0	0	0
PSD Issued	0	0	0	0	0
Title V Initials and Modifications Received	1	1	1	4	7
Title V Initials and Modifications Issued	4	2	2	1	9
Title V Renewals and Modifications Received	19	31	18	16	84
Title V Renewals and Modifications Issued	14	18	14	21	67
Acid Rain Received	0	1	0	0	1
Acid Rain Issued	0	0	0	0	0
Relocation Received	4	2	2	4	12
Relocation Issued	5	2	2	4	13
Applications Withdrawn	6	2	10	13	31

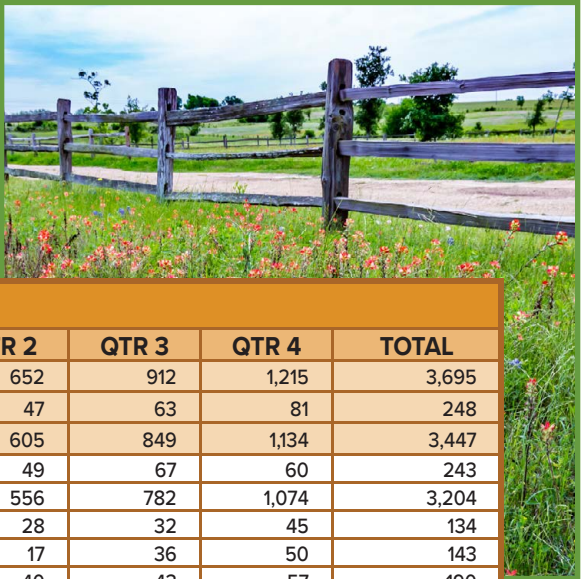
Title V Initial and Renewal Modifications Issued - Total	11	14	9	13	47
Title V Initial and Renewal Modifications Issued - Significant	0	0	0	1	1
Applicability Determination Received	5	3	4	2	14
Applicability Determination Issued	13	4	3	6	26
Permits Denied	0	0	0	0	0
Total Applications Received	433	250	238	311	1,232
Total Permits Issued	407	305	174	337	1,223
Minor Permits Issued > 90 Day Goal	39	56	45	82	222
Tests Observed	0	1	0	0	1
Performance Inspections	0	0	0	0	0
Permit Protest Hearings	0	0	0	0	0
Number of PSD Modeling Analysis Conducted	2	1	1	1	5
Number of Title V Air Permits Passing Federal Review	18	12	16	19	65

Public Information and Education					
Ozone Watches and Alerts					
Oklahoma City	0	0	0	2	2
Tulsa	0	0	0	3	3
Lawton	0	0	0	2	2
Rural Oklahoma	0	0	0	0	0
AQ Health Advisories	1	3	8	15	27

Environmental Education					
Events					
Conference Presentations	0	0	0	1	1
Conference Displays	0	0	0	0	0
Community Wide Events	2	0	0	1	3
Education Presentations					
K-12	0	0	0	0	0
University	0	0	1	0	1
Community/Adult	1	1	0	3	5
Contacts	100	100	2	278	480

Quality Assurance					
Audits					
Continuous	37	42	43	40	162
Non-Continuous	12	16	15	13	56
Interlab	3	3	3	3	12
Data Validation	301	285	279	326	1,191
Standards Certified	132	145	150	138	565
Filter Checks	74	50	67	68	259
Precision Tests	348	366	337	379	1,430

## Environmental Complaints and Local Services Division

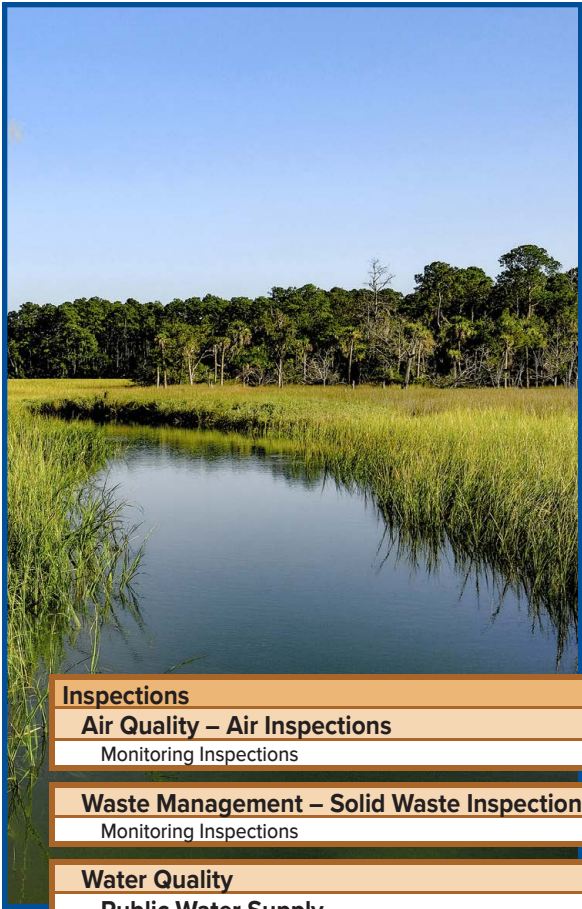


### Environmental Complaints and Local Services

Complaint Statistics	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Total Spills/Complaints Received	916	652	912	1,215	3,695
Spills/Complaints Referred to Other Agencies	57	47	63	81	248
Total DEQ Spills/Complaints Received	859	605	849	1,134	3,447
Spills Received	67	49	67	60	243
Complaints Received	792	556	782	1,074	3,204
Publicly-Owned Wastewater Facility and Lines	29	28	32	45	134
Private Wastewater Service Lines	40	17	36	50	143
Public Water Supply	50	40	43	57	190
Fish Kills	17	5	10	16	48
Harmful Algal Bloom/Blue Green Algae	8	1	0	11	20
Unpermitted Discharge	19	19	35	58	131
Industrial Stormwater	0	0	0	0	0
Industrial Wastewater Treatment	2	1	2	1	6
Medical Marijuana - IWW	0	0	0	2	2
Fugitive Dust	37	42	61	38	178
Air Facilities Emissions	25	13	27	9	74
Odors	39	30	21	45	135
NESHAP Violations	3	5	6	5	19
Lead Based Paint	2	0	0	1	3
Solid Waste Car Wash Sludge	0	0	0	0	0
Solid Waste Transfer Station	0	0	1	0	1
Solid Waste Landfill Operation	5	3	6	1	15
Tires	12	3	5	8	28
Hazardous Waste Facility Operation	0	0	0	0	0
Hazardous Waste Improper Disposal	0	0	0	0	0
Radiation	0	0	2	0	2
Underground Injection Control	0	0	0	0	0
Total Retention Lagoon - lagoon, collection and land application	11	12	14	14	51
On-site Sewage	125	85	151	224	585
Improperly installed on-site sewage system (certified installation)	2	1	2	2	7
Improperly installed on-site sewage system (non-certified installation)	22	12	12	21	67
Aerobic system maintenance (system installed 2 years or less)	5	4	3	3	15
Malfunctioning aerobic system	32	15	36	51	134
Private Water Supply	4	1	4	3	12
Open Burning	64	78	72	90	304
Unpermitted Disposal of Solid Waste	159	109	159	217	644
Septage Pumpers and Haulers	2	1	1	4	8
Construction Stormwater-permit or discharge	76	30	39	95	240
Minor Water Supplies	1	0	1	3	5
Self-reported Spill/Release - Highway Remediation	0	0	1	0	1

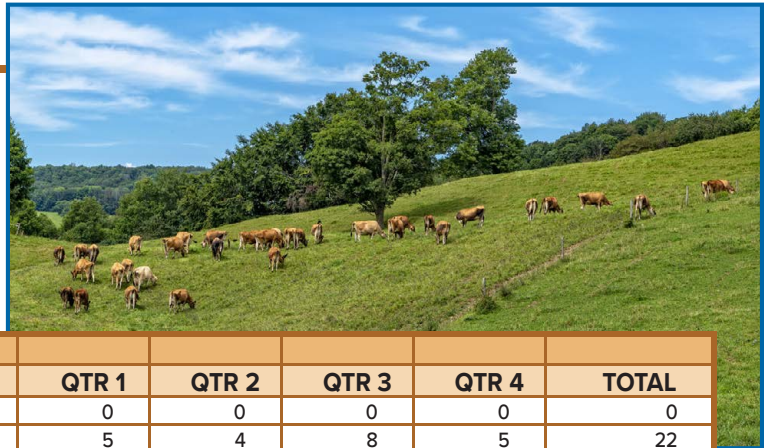
Disaster Response					
Debris Disposal Sites Registered	3	99	19	14	135
FOIA Searches	204	222	282	358	1,066





Inspections					
Air Quality – Air Inspections	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Monitoring Inspections	0	0	0	0	0
Waste Management – Solid Waste Inspections					
Monitoring Inspections	32	15	7	10	64
Water Quality					
Public Water Supply					
Monitoring Inspections	303	354	170	445	1,272
Minor Water Systems	60	74	117	225	476
Municipal Wastewater					
Monitoring Inspections	75	91	58	90	314
Total Retention Lagoons					
Monitoring Inspections	119	110	72	145	446
Industrial Wastewater					
Monitoring Inspections	98	80	71	136	385
Stormwater					
NOT Inspections	278	278	208	237	1,001
Active Permit Inspections	61	56	23	58	198
No Exposure Inspections	9	6	4	11	30
Septage Pumpers					
Inspections	13	17	186	20	236
Total Number of Inspections					4,422

Enforcement Administration					
Enforcement Actions - Unpermitted Activities					
Notices of Violation					
Open Burning	1	2	1	2	6
Open Dumping	0	1	1	6	8
Fugitive Dust	4	0	0	2	6
Surfacing Sewage	4	3	3	8	18
Minor Water System	0	0	1	0	1
Certified Installers	2	1	1	1	5
Non-Certified Installers	2	3	3	4	12
Septage Pumpers/Haulers	0	0	1	0	1
Total Retention Lagoons	3	0	2	8	13
Highway Spill Remediation	1	0	0	2	3
Certified Soil Profilers	0	0	0	0	0
Stormwater - Construction	4	2	2	4	12
Total					85



Enforcement Administration (Continued)					
Formal Actions	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Open Burning	0	0	0	0	0
Open Dumping	5	4	8	5	22
Fugitive Dust	1	0	0	1	2
Surfacing Sewage	8	14	15	20	57
Certified Installers	1	2	3	2	8
Non-Certified Installers	3	4	2	3	12
Septage Pumpers/Haulers	0	0	2	0	2
Total Retention Lagoons	1	2	6	5	14
Highway Spill Remediation	0	0	0	0	0
Minor Water System	2	0	0	1	3
Certified Soil Profilers	1	1	0	0	2
Stormwater - Construction	0	0	1	0	1
Total					123

Fines Paid					
Open Burning	\$0	\$0	\$1,000	\$0	\$1,000
Open Dumping	\$0	\$0	\$0	\$0	\$0
Fugitive Dust	\$0	\$0	\$0	\$0	\$0
Surfacing Sewage	\$100	\$100	\$150	\$2,700	\$3,050
Certified Installers	\$250	\$950	\$0	\$350	\$1,550
Non-Certified Installers	\$700	\$250	\$0	\$0	\$950
Septage Pumpers/Haulers	\$0	\$0	\$0	\$0	\$0
Total Retention Lagoons	\$0	\$0	\$4,450	\$3,000	\$7,450
Certified Soil Profilers	\$0	\$250	\$0	\$0	\$250
Stormwater - Construction	\$0	\$1,000	\$2,000	\$0	\$3,000
Total					\$17,250

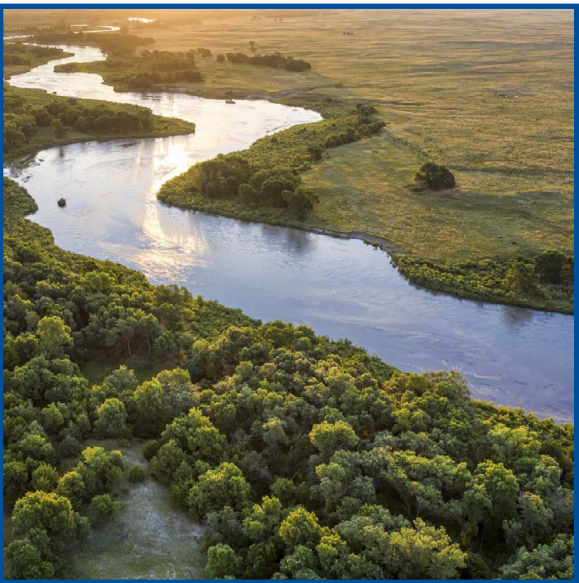
Permit Administration					
ECLS Requested Services					
Private Sewage					
Soil Tests	124	88	113	139	464
Existing System Inspections	13	7	5	16	41
Authorizations Issued	2,396	1,952	2,005	2,459	8,812
Alternative System Permits Issued	18	5	12	9	44
Septage Pumpers and Haulers					
Septage Pumper Licenses Issued	11	12	167	22	212
Highway Remediation					
Highway Remediation Licenses issued	0	10	1	0	11

Water Quality					
Storm Water-Construction					
Authorizations Issued	254	249	224	280	1,007
Authorizations Terminated	201	245	180	137	763
Storm Water-Industrial					
Authorizations Issued	28	16	28	41	113
Authorizations Terminated	20	23	22	32	97
Minor Water					
Permits to Supply	1	3	0	4	8
Authorizations to Construct	4	3	3	3	13
Total Number of Permits/Licenses					11,585





## Land Protection Division



### Permit Administration (Continued)

Technical Assistance	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Air Quality	4	6	7	10	27
BGA	0	0	0	0	0
DWSRF	0	0	1	0	1
Fish Kills	0	0	0	0	0
Hazardous Waste	2	6	1	1	10
Industrial Wastewater	3	3	3	8	17
Solid Waste	16	15	13	17	61
Minor Water	6	4	5	0	15
Onsite Sewage	154	131	115	119	519
Private Water	20	15	33	21	89
Promote Soil Profile	13	15	20	14	62
Public Water Supply	50	74	89	44	257
Septage Hauler and Transporter	3	1	6	2	12
Spill	0	1	0	1	2
Stormwater	8	11	10	11	40
Tires	0	0	0	0	0
Total Retention Lagoon	20	17	36	37	110
Water Pollution Control	10	8	6	8	32
<b>TOTAL</b>	<b>309</b>	<b>307</b>	<b>345</b>	<b>293</b>	<b>1,254</b>

### Individual Water Well Evaluation

#### Requested Services – Private Water

Water Well Inspections	1	1	0	0	2
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### Operator Certifications

#### On-site System Installer Certification

Renewal Training Attendees	5	33	172	11	221
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#### New Certification Examinations

Sub-surface Examinations	14	7	2	9	32
Lagoon Examinations	0	2	0	2	4
Aerobic Spray Examinations	7	4	3	10	24
Aerobic Drip Examinations	0	0	0	0	0
Low Pressure Dosing Examinations	0	0	0	0	0

#### Soil Profiler Certification

Renewal Training Attendees	3	5	49	0	57
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	0	1	0	0	1
RMAC Meetings/Rulemaking Hearings	1	0	1	0	2
SWMAC Meetings/Rulemaking Hearings	1	0	1	0	2
<b>Total</b>					<b>5</b>

### Permit Administration

Public Meetings for Permitting	1	1	0	0	2
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### Hazardous Waste

Permit applications/plans received	45	44	52	49	190
Permit applications/plans approved	35	40	57	55	187
Permit Protest Hearings	0	0	0	0	0
Permits approved within timelines	35	40	57	55	187
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	84	76	82	92	334
License applications/amendments issued	89	78	53	129	349
Licenses issued within timelines	89	78	53	129	349
Solid Waste					
Permit applications/plans received	125	167	193	200	685
Permit applications/plans approved	127	124	174	184	609
Permit Protest Hearings	0	0	0	0	0
Permits approved within timelines	127	124	174	184	609

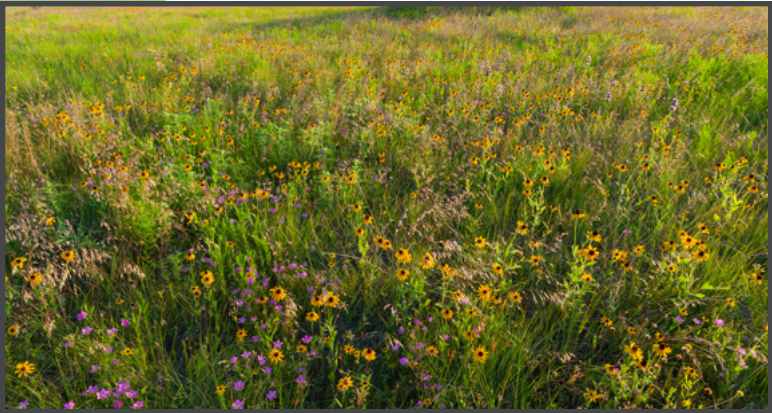
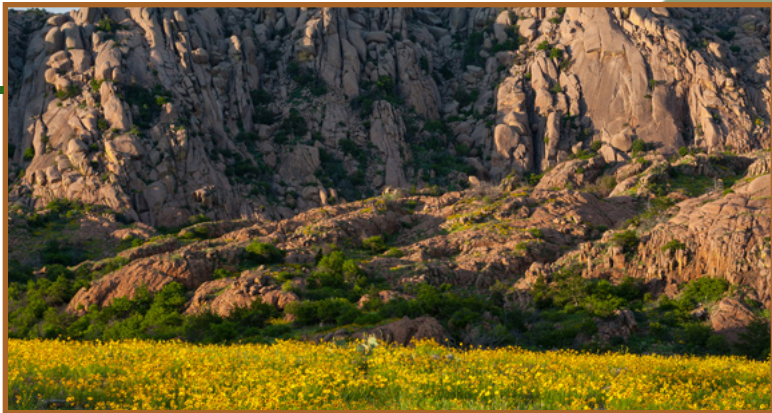
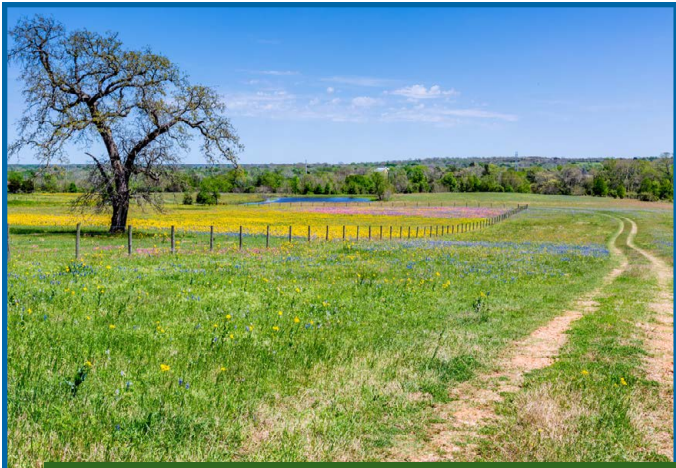
### UIC

Permit applications/plans received	10	8	9	12	39
Permit applications/plans approved	10	9	6	10	35
Permit Protest Hearings	0	0	0	0	0
Permits approved within timelines	10	9	6	10	35

### Percent of Permits/Licenses Approved Within Timelines

100%





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	12	11	6	14	43
Schools provided assistance with chemical disposal	6	5	5	2	18

Citizen Outreach - Radon					
Radon test kits requested by homeowners and schools					297

Citizen Outreach - Radiation Surveys					
Radiation surveys performed	0	11	3	0	14

Citizen Outreach - Industrial Radiography					
Industrial radiography exams held *moved to computer based testing outside DEQ, 10/2020	8	NA*	NA	NA	8
Individuals taking industrial radiography exams	76	11	36	39	162

Local Government Outreach					
Local governments assisted with trash dump clean up and improved recycling programs - LP PM11					84
Communities and non-profits assisted with Brownfield funding	38	45	43	51	177
Dollar amount of solid waste fees reinvested in local projects					\$1,456,819

Citizen Outreach - SQG Self-Certification					
Percentage of SQG universe participating in self-certification	15.78%	15.76%	16.45%	16.22%	Not cumulative
Percentage of SQG universe participating in self-certification that self-identified at least one area of non-compliance	No checklists received this quarter.	No checklists received this quarter.	No checklists received this quarter.	Two checklists received. No areas of non-compliance identified.	

Land Restoration					
Brownfields					
Phase I/II Targeted Site Assessments	2	0	1	0	3
Sites cleaned up using Brownfield Revolving Loan Funds	0	0	0	0	0
Brownfield Certificates issued	17	0	1	1	19

Superfund					
Preliminary assessments and site inspections completed	2	2	1	3	8
Number of Superfund 5-Year Reviews completed	1	1	1	0	3
Active NPL sites					16
NPL sites in state-lead operations and maintenance					6
Removals conducted by DEQ					0
Removals conducted by EPA with DEQ assistance					2
DOD facilities going through the CERCLA process					32

Voluntary Clean-Up Program					
Contaminated sites in the VCP	86	86	98	98	not cumulative
Contaminated sites cleaned up under the VCP	2	0	1	0	3

Governmental Entities					
Governmental entities assisted with restoration of damaged lands	11	8	4	9	32

Land Restoration (Continued)					
Waste Tires	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Community-wide collection events held	16	5	94	106	221
Tires diverted from illegal dumping through community-wide collection events	63,066	61,865	57,406	58,154	240,491
Illegal tire dumps remediated	18	15	22	11	66
Abandoned tires remediated from illegal dumps	14,401	16,077	5,749	14,840	51,067

Tar Creek					
Tons of chat from the Tar Creek Superfund Site marketed	0.00	0.00	0.00	0.00	0.00
Tons of chat from the Tar Creek Superfund Site disposed	110,510.00	78,779.86	36,467.99	2,698.91	228,456.76

SCAP					
Number of National Guard armories, orphan sites, and publicly owned properties remediated and available for reuse	1	0	1	3	5

All Programs					
Total acres of land cleaned up or restored to beneficial reuse					231.40

Complaints					
Complaints referred to LPD	5	6	5	6	22
LPD complaints resolved	3	6	2	3	14
LPD complaints resolved within 90 days or approved extension	3	6	2	3	14
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	55	0	22	20	97
Hazardous waste inspections at Oklahoma military facilities	5	0	0	1	6
Inspections at Oklahoma commercial hazardous waste disposal facilities	4	0	0	2	6
Groundwater monitoring evaluations at hazardous waste disposal facilities (CME and OAM)	0	0	0	3	3

Radiation					
Inspections at Oklahoma licensees	6	26	37	9	78

Solid Waste					
Inspections at Oklahoma solid waste disposal facilities	61	41	31	23	156

Non-Hazardous Industrial Waste					
NHIW certifications reviewed	113	502	476	332	1,423

UIC					
Inspections at Oklahoma UIC wells	4	2	4	2	12

Used Tires					
Inspections at Oklahoma used tire processors	18	18	18	18	72
Inspections of tire dealers and motor license agents	36	32	24	12	104
Total number of inspections performed					534





#### Enforcement Administration

Hazardous Waste	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Notices to Comply issued	2	1	1	8	12
Notices of Violation issued	0	0	0	0	0
Orders issued	0	0	0	0	0
Facilities in Significant Non-Compliance	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

#### Radiation

Notices of Violation issued	1	1	1	2	5
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

#### Solid Waste

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

#### 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	1	1	1	0	3
Orders issued	2	0	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

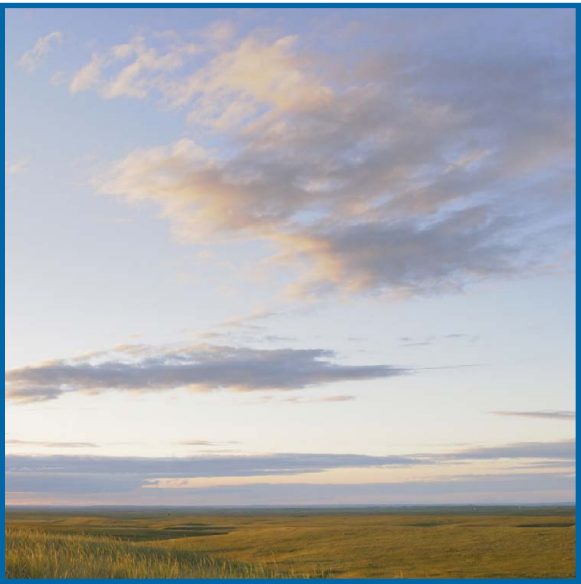
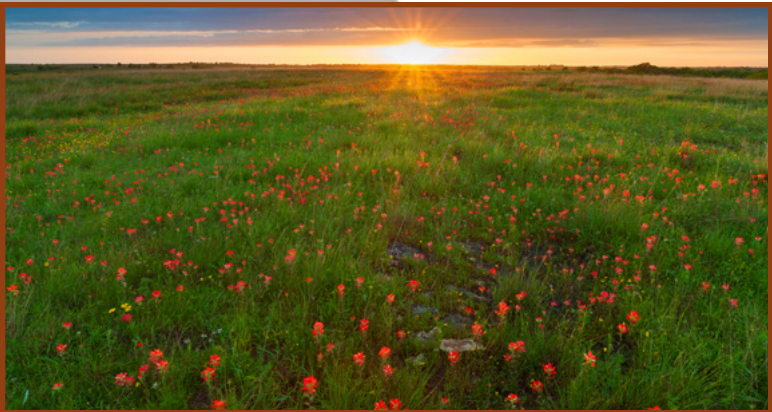
#### Total Enforcement Actions (NOVs and Orders)

Total Enforcement Actions (NOVs and Orders)	10
Total Fines	\$0
Total SEPs	0
Total SEP \$	\$0

#### Sara Title III – Community Right to Know (EPCRA)

Tier 2 Reports Filed	52	20	49,335	279	49,686
Toxic Release Reports Filed	1,379	0	0	0	1,379
Industry Request for Guidance	502	472	4,867	818	6,659
CAMEO/Submit Instruction/Presentations	4	2	4	5	15
LEPC Meetings Attended	9	13	4	6	32
EPA Inspections Attended	0	0	0	0	0

## Office of External Affairs



## Office of External Affairs

Graphics and Publications	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
Designs/Illustrations/Graphics Produced	324	316	237	210	1,087
Publications/Brochures/Fact Sheets Produced	78	248	157	132	615
Videos Produced	9	0	5	4	18

#### Web Requests

Agency						230 (est)
Public						10 (est)
.Gov Delivery Subscribers	1,833	4,98	2,311	967	Not Cumulative	

#### Pollution Prevention

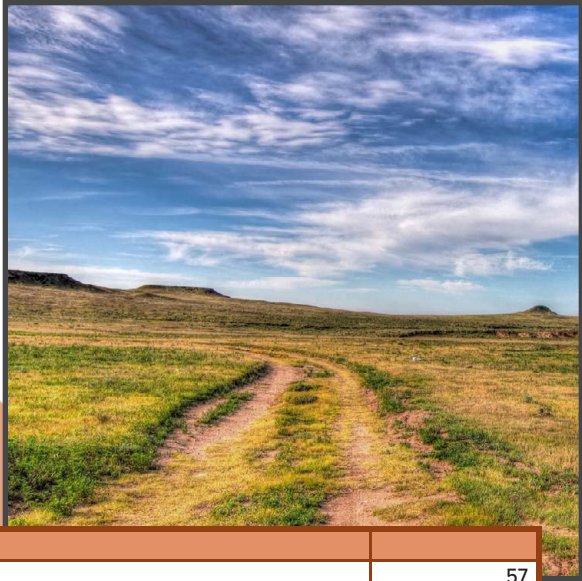
Career Fairs, Booths, and other Outreach	0	0	0	0	0
Clean Vessel Act Grants Awarded	7				
Clean Vessel Act Grant Dollars Awarded	\$250,336				

#### Oklahoma Green Schools

Registered Schools	0	4	4	1	9
Students Impacted	0	315	1,115	20	1,450



# State Environmental Laboratory Services



## State Environmental Laboratory Services Division

### Workload and Customer Support

Laboratory Tests Performed (by customer)	
SDWA	15,150
OWRB	16,323
Private	7,852
Lab Priority	1,320
DEQ	1,147
Contractual	1,222
PDES	420
SELS	828
Total	44,262

### Proficiency Testing

Double Blind Studies	30
Tests Performed	305
Analyte Determinations	1,363
Overall Success Rate	1

### Customer Support

Board and Council Meetings	4
Technical Assistance Events	10,040
Targeted Outreach Events	6
Lab Tours	4
Social Media Posts	2
New/Updated Online Services	2
Sample Kits Provided	14,206
Sample Collection Events	111
Fish Consumption Advisories Reviewed	119
Fish Consumption Advisories Issued	57
Fish Consumption Advisories Removed	11
New Programs	1
New Rules	2

### Staffing, Training, and Competency

Full Time Employees	57
Turnover	6
New Hires	7
Current Vacancies	5
Average Experience of Staff (years)	12
Documented Training Events	1,045
ELMS Training Events	57
Ethics Training Events	66
Documented Staff Trainings	1,090
Professional Meetings and Conferences	13
Demonstrations of Capabilities (DOC)	57

### Laboratory Scope and Capacity

Testing Methods in Production	102
New Methods Developed	1
Technologies in Production	40
New Technologies Implemented	-
LIMS Enhancements	38
Renewed Certifications/Accreditations	1
New/Replacement Instruments	5
New/Replacement Equipment	2
Overall Replacement Cost (all assets)	6.7 Million
Overall Lab Capacity	43

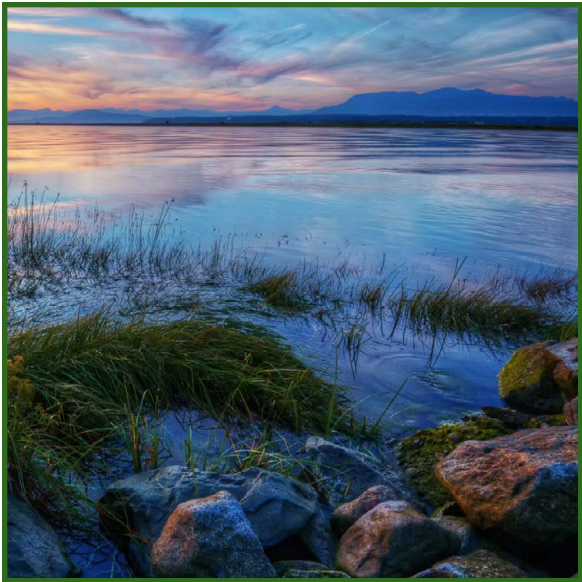
### Quality System

Procedures Reviewed and Revised	19
External Audits	2
Internal Audits	4
Process Improvements Opened	20
Process Improvements Closed	19
Customer Feedback Received	8
Complaints Received	2
New Areas of Accreditation	-

### Laboratory Accreditation Program

New Applications Received	49
On Site Assessments	10
Virtual Assessments	16
Certifications Issued	175
Number of Withdrawals/Revocations	2





## Water Quality Division



### Water Quality Division

TMDL Development					
TMDL	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL
TMDLs Started	5	0	5	0	10
TMDLs Completed	0	0	6	4	10
208 Plan	0	2	0	3	5

Data Management					
Groundwater					
Sites With GPS Correction	3	1	4	0	8

Enforcement Administration					
Public Water Supply					
Boil Advisories	1	1	1	5	8
Notices of Violation	13	50	68	38	169
Consent / Final Orders	3	6	10	4	23
Fines Paid	\$1,000	\$500	\$18,170	\$3,000	\$22,670
Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
TOTAL number of SEPs	0	0	0	0	0

Municipal Wastewater					
Notices of Violation	12	47	14	20	93
Consent / Final Orders	14	14	1	7	36
Fines Paid	\$0	\$7,912.50	\$100	\$127,996	\$136,008.50
Supplemental Environmental Projects	\$0	\$90,000	\$0	\$0	\$90,000
TOTAL number of SEPs	0	2	0	0	2

Industrial Wastewater					
Notices of Violation	2	6	6	6	20
Consent / Final Orders	1	3	2	1	7
Fines Paid	\$8,782	\$13,243.55	\$0	\$3,000	\$25,025.55
Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
TOTAL number of SEPs	0	0	0	0	0

Storm Water					
Notices of Violation	9	2	3	0	14
Consent / Final Orders	1	0	1	0	2
Fines Paid	\$0	\$0	\$0	\$0	\$0
Supplemental Environmental Projects	\$0	\$0	\$0	\$0	\$0
TOTAL number of SEPs	0	0	0	0	0

Inspections					
Public Water Supply					
Monitoring Inspections (from ECLS)	303	354	170	445	1,272

Municipal Wastewater					
Monitoring Inspections (from ECLS)	75	91	58	90	314
Pretreatment Compliance	4	3	1	0	8
Pretreatment Audits	3	6	0	0	9
Compliance Evaluation Inspections	13	14	9	20	56
Compliance Sampling Inspections	0	0	0	0	0

Industrial Wastewater					
Monitoring Inspections (from ECLS)	98	80	71	136	385
Compliance Evaluation Inspections	4	12	19	14	49
Compliance Sampling Inspections	0	0	0	1	1

Storm Water					
Compliance/TA Inspections	0	5	6	21	32
NOT Inspections (from ECLS)	278	278	208	237	1,001
Active Permit Inspections (from ECLS)	61	56	23	58	198
No Exposure Inspections (from ECLS)	9	6	4	11	30

Operator Certifications – New Certified Examinations					
Water Operator	253	234	129	293	909
Wastewater Operator	138	212	105	219	674
Water Laboratory Operator	21	19	13	36	89
Wastewater Laboratory Operator	7	18	20	5	50

Permit Administration – Water Quality Permitting					
Construction Applications/Permits Issued					
Public Water Supply Received	141	126	140	165	572
Public Water Supply Issued	117	130	130	132	509
Water Well Received	8	7	4	9	28
Water Well Issued	4	6	4	5	19
Municipal Wastewater Received	103	84	81	87	355
Municipal Wastewater Issued	96	74	78	96	344

Municipal Wastewater Applications/Permits Issued					
Discharge Applications Received	19	2	18	19	58
Discharge Permits Issued	14	4	7	15	40

Industrial Wastewater Applications/ Individual Permits Issued					
Applications Received	8	4	4	3	19
Permits Issued	4	2	4	9	19

Stormwater					
Construction Authorization Processed (from ECLS)	254	249	224	280	1,007
Multi-Sector Industrial Authorization Processed (from ECLS)	28	16	28	41	113

Other Industrial General Permits					
Applications Received	2	3	3	5	13
Authorization Issued	1	2	2	5	10

Other Municipal General Permits					
Applications Received	0	1	1	22	24
Authorization Issued	0	2	1	1	4

Sludge Management Applications/Plans Approved					
Applications Received	7	4	1	4	16
Plans Approved	5	2	1	4	12

Total Permits Issuance > Timelines	10	14	8	16	48
Total Permit Protest Hearings	0	0	0	0	0





**OKLAHOMA**