

**MINUTES  
ENVIRONMENTAL QUALITY BOARD  
NOVEMBER 9, 2018  
DOMINION HOUSE  
GUTHRIE, OKLAHOMA**

Official EQB Approved  
On February 15, 2019

**Notice of Public Meeting** – The Environmental Quality Board (Board) convened for a Regular Meeting at 9:30 a.m., at the Dominion House, 602 E. College Avenue Guthrie, Oklahoma. This meeting was held in accordance with 25 O.S. Section 311, with notice of the meeting given to the Secretary of State on October 18, 2017. The agenda was mailed to interested parties on October 30, 2018, and was posted at the DEQ and the facility on November 8, 2018. Mr. Tim Munson, Chair, called the meeting to order. Mr. Munson called upon Ms. Andrea Engelhaupt, to give a brief background on the facility and to talk on safety precautions in case of an emergency. Mr. Munson also welcomed Mr. Don Hudgins, Logan County Sherriff to the Board. Ms. Fields called roll and a quorum was confirmed.

**MEMBERS PRESENT**

Mark Barton  
Shannon Ferrell  
David Griesel  
Tracy Hammon  
Ken Hirshey  
Jimmy Kinder  
Jan Kunze  
Steve Mason  
Mike Paque  
Billy Sims  
Tim Munson

**DEQ STAFF PRESENT**

Scott Thompson, Executive Director  
Jimmy Givens, Deputy Executive Director  
Sarah Penn, Deputy General Counsel  
Michelle Wynn, Legislative Liaison  
Eddie Terrill, Air Quality Division  
Beverly Botchlet-Smith, Air Quality Division  
Chris Armstrong, State Environmental Laboratory Services  
Kelly Dixon, Land Protection Division  
Travis Mensik, Environmental Complaints & Local Services  
Rob Singletary, General Counsel  
Lloyd Kirk, Office of External Affairs  
Shellie Chard, Water Quality Division  
Mark Hildebrand, Water Quality Division  
Richard McDaniel, Environmental Complaints & Local Services  
Pam Dizikes, Legal Division  
Saba Tahmassebi, Engineering Manager  
Skylar McElhane, Office of External Affairs  
Erin Hatfield, Office of External Affairs  
Betsey Streuli, Legal Division  
Kathy Aebischer, Administrative Services Division  
Sharon Smith, Executive Director's Office  
Carol Bartlett, Land Protection Division  
Quiana Fields, Board & Council Secretary

**MEMBERS ABSENT**

Homer Nicholson

**OTHERS PRESENT**

Jennifer Lewis, Office of the Attorney General  
Laura Lodes, Air Quality Advisory Council  
Carly Cordell, Office of the Secretary of Energy & Environment  
Jennifer Kaclin, Court Reporter

**Approval of Minutes** – Mr. Griesel moved to approve the Minutes from the September 11, 2018 Regular Meeting. Dr. Ferrell made the second.

*transcript pages 6 - 7*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Abstain
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes

Jimmy Kinder Yes

**Rulemaking – OAC 252:100 Air Pollution Control** – Mr. Munson called upon Ms. Laura Lodes, Chair of the Air Quality Advisory Council (AQAC), to present the rule. Ms. Lodes stated that the DEQ proposes to amend OAC 252:100-39-40 (Cutback asphalt (paving) to correct the dates of Oklahoma’s non-oxidant season, which should be December 1 through the last day of February. This proposed rule prohibits the use of cutback asphalt during Oklahoma’s extended ozone season. Following no questions or comments by the Board or the public, Mr. Munson called for a motion. Mr. Kinder moved to approve and Mr. Ferrell made the second.

*transcript pages 7 - 10*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes
Jimmy Kinder	Yes		

Ms. Lodes stated that the DEQ also proposes to amend OAC 252:100-39-41 (Storage, loading and transport/delivery of VOCs) to allow for the use of alternative testing methods for leak inspections, to revise references used for pressure and vapor testing to the most recent EPA regulations, and to update tank truck tag requirements to reflect current practices. Following no questions or comments by the Board or the public, Mr. Munson called for a motion. Mr. Griesel moved to approve and Dr. Hammon made the second.

*transcript pages 10 - 12*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes
Jimmy Kinder	Yes		

Ms. Lodes stated that the DEQ also proposes to amend OAC 252:100, Appendix Q (Incorporation by Reference), in order to incorporate the latest changes to EPA regulations and to amend OAC 252:100, Subchapter 2, to reflect the latest date of incorporation of the EPA rules in Appendix Q. These proposed rules will incorporate recent changes to EPA regulations that include those federal regulations published from June 30, 2017 to June 30, 2018. These changes will include rules relating to the National Emission Standards for Hazardous Air Pollutants (NESHAP), New Source Performance Standards (NSPS), and other EPA regulations referenced in Chapter 100. Following no questions or comments by the Board or the public, Mr. Munson called for a motion. Dr. Hammon moved to approve and Mr. Barton made the second

*transcript pages 13 - 15*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes
Jimmy Kinder	Yes		

**Rulemaking – OAC 252:606 Oklahoma Pollutant Discharge Elimination System (OPDES)** – Mr. Munson called upon Ms. Shellie Chard, Division Director of the Water Quality Division, to present the rule due to Mr. Brian Duzan, Chair of the Water Quality Management Advisory Council was unable to attend. Ms. Chard stated that the DEQ proposes to amend OAC 252:606 in order to incorporate the latest changes to EPA regulations. Specifically, DEQ proposes to amend OAC 252:606-1-3 (Adoption of U.S. EPA regulations by reference) to update the specific portions of the federal regulations and corresponding titles that are incorporated and to amend OAC 252:606-1-4 (Date of federal regulation incorporated) to update the incorporation of federal rules to include those published from July 1, 2016 to July 1, 2018. The most significant changes

include a federal regulation that modifies the approved testing requirements for analysis and sampling under the Clean Water Act (the Methods Update Rule); and an updated rule that establishes two alternative procedural approaches a permitting authority may use to issue NPDES general permits for small MS4 systems. Following no questions or comments by the Board or the public, Mr. Munson called for a motion. Mr. Kinder moved to approve and Mr. Paque made the second.

*transcript pages 15 - 18*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes
Jimmy Kinder	Yes		

**Consideration of and Action on the Annual Environmental Quality Report** – Mr. Munson called upon Mr. Jimmy Givens, Deputy Executive Director of the DEQ. Mr. Givens gave a presentation on the Annual Environmental Quality Report which must be approved by the Board prior to its submission to the Governor, Speaker of the House and Senate President Pro Tempore by January 1. The purpose of this report is to outline DEQ’s annual funding needs for providing environmental services within its jurisdiction, reflect any new federal mandates, and summarize DEQ-recommended statutory changes. Following questions by the Board and none by the public, Mr. Munson called for a motion. Mr. Sims moved to approve and Mr. Paque made the second.

*transcript pages 18 - 30*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes
Jimmy Kinder	Yes		

**Executive Director’s Report** – Mr. Scott Thompson, Executive Director of the DEQ, stated Rita Kottke, DEQ employee who ran the Brownfields and the Superfund Programs, passed away. Mr. Rob Singletary, General Counsel of the DEQ, has taken another job at the end of November with the Army Environmental Command in San Antonio, Texas. Also, Mr. Thompson discussed agency activities underway and legislative updates.

*transcript pages 30 - 38*

**Budget Update and Financial Overview (FY 2019)** – Mr. Munson called upon Ms. Kathy Aebischer, Chief Financial Officer of the DEQ. Ms. Aebischer gave a presentation on the FY 2019 budget update.

*transcript pages 38 - 42*

**Executive Session – Annual Performance Review of Executive Director** – Among the statutory duties of the Board are responsibilities to appoint and set the compensation of the Executive Director and to assist the DEQ in conducting periodic reviews and planning activities related to the goals, objectives, priorities, and policies of the DEQ. Mr. Munson called for a motion to enter into executive session pursuant to 25 O.S. § 307(B)(1). Mr. Griesel moved to go into executive session and Mr. Barton made the second. Ms. Kunze was designated as the scribe for executive session.

*transcript pages 42 - 45*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes
Jimmy Kinder	Yes		

In open session, Mr. Munson called for a motion to reconvene the Regular Board meeting. Dr. Hammon moved to approve and Mr. Griesel made the second.

*transcript pages 45 - 46*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes
Jimmy Kinder	Yes		

Mr. Munson thanked Mr. Thompson and supports his effort in moving the agency forward. Mr. Munson called for a motion on a specific recommendation of the Executive Director's annual performance review. Mr. Griesel made a motion to increase the salary of Mr. Thompson by six percent. Mr. Hirshey made the second.

*transcript pages 46 - 48*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes
Jimmy Kinder	Yes		

**New Business** – Mr. Mason wanted to add to Mr. Thompson's comment about Ms. Kottke, there are a lot of sites in Oklahoma that we are using such as in Sand Springs, Okmulgee and the Skirvin due to her, and she represented the agency well.

*transcript pages 48 - 49*

**Next Meeting** – The next regular meeting is scheduled for February 15, 2019 in Oklahoma City, DEQ Multipurpose Room.

**Adjournment** – Mr. Munson called for a motion to adjourn. Mr. Griesel moved to adjourn and Mr. Paque made the second. Meeting adjourned at 11:35 a.m.

*transcript pages 49 - 50*

Mark Barton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Steve Mason	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Billy Sims	Yes
Kenneth Hirshey	Yes	Tim Munson	Yes
Jimmy Kinder	Yes		

**The transcript and sign-in sheet become an official part of these Minutes.**

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

OKLAHOMA ENVIRONMENTAL QUALITY BOARD

PUBLIC MEETING

NOVEMBER 9, 2018 - 9:30 A.M.

Dominion House  
602 E College Ave  
Guthrie, Oklahoma 73044

REPORTED BY: JENNIFER PAYNE KAE LIN, CSR

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1 BOARD MEMBERS PRESENT:

2 Mr. Tim Munson - Chairman

3 Mr. Mark Barton

4 Dr. Shannon Ferrell

5 Mr. David Griesel

6 Dr. Tracy Hammon

7 Mr. Ken Hirshey

8 Mr. Jimmy Kinder - Vice-Chair

9 Ms. Jan Kunze

10 Mr. Homer Nicholson - absent

11 Mr. Billy Sims

12 Mr. Steve Mason

13 Mr. Mike Pague

14

15 ALSO PRESENT:

16 Ms. Andrea Engelhaupt, Dominion House

17 Ms. Quiana Fields, Secretary of Board and Council

18 Mr. Don Hudgins, Logan County Sheriff's Deputy

19 Ms. Shellie Chard, Department of Environmental Quality

20 Mr. Jimmy Givens, Department of Environmental Quality

21 Ms. Jennifer Lewis, Assistant Attorney General

22 Mr. Scott Thompson, Executive Director

23 Mr. Rob Singletary, General Counsel, DEQ

24 Mr. Chris Armstrong, Department of Environmental Quality

25

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1 (Whereupon, the meeting was called to order at 9:35 a.m.)

2 MR. TIM MUNSON: We'll call our meeting to order.

3 The November 9th, 2018, regular meeting of the Environmental

4 Quality Board has been called according to the Oklahoma Open

5 Meeting Act, Section 311 of Title 25 of the Oklahoma

6 Statutes. Notice was filed with the Secretary of State on

7 October 18th, 2017. Agendas were mailed to interested

8 parties on October 30th, 2018, and were posted at DEQ and

9 the facility on November 8th, 2018.

10 Only matters appearing on the posted agenda may be

11 considered. If this meeting is continued or reconvened, we

12 must announce today the date, time and place of the

13 continued meeting and the agenda for such continuation will

14 remain the same as today's agenda.

15 I'd like to welcome everybody here this morning. It's

16 a beautiful facility. We have Andrea Engelhaupt, with the

17 Dominion House, who is going to share with us a little

18 information about the facility and any concerns about exits

19 in the event of an emergency.

20 MS. ANDREA ENGELHAUPT: Hello. My name is

21 Andrea Engelhaupt. Thank you guys for being here. The

22 Dominion House is an event venue, so what you guys are

23 sitting in is actually where we do wedding receptions. And

24 this was actually the original cafeteria for the children's

25 home from 1923 all the way to '78.

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1 The Masons built this. They obviously did a really

2 good job. So everything you see in here is refurbished.

3 The structure is what it was when it was built in 1923, so

4 we've been really lucky with the expansion that we have seen

5 the way you see it today.

6 Exits, we have the front exit, back exit. That door

7 right there (Indicating.) will lead you guys to the parking

8 lot where you guys came in. If you guys have any questions,

9 you can just ask me and I'll be right back here in this

10 room.

11 Under that exit sign, there are restrooms, bathrooms.

12 You guys can place your silverware, or anything like that,

13 on that tray and I will pick it up. If you need anything,

14 just let me know.

15 Just a little history on this. As I said, this was a

16 children's home built by the Masons, 1923 to 1978. It was

17 vacant for about 22 years. And in 2000, our current owners,

18 it's a family-owned business, they bought it and turned it

19 into a wedding venue for 14 years. And now we just opened a

20 restaurant. We have a boutique hotel with ten rooms. So we

21 are expanding and we are making, you know, Guthrie kind of a

22 place to come and visit.

23 So if you guys need anything, just ask, and you guys

24 enjoy. Thank you.

25 MR. TIM MUNSON: Thank you, Andrea.

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1 MS. ANDREA ENGELHAUPT: You're welcome.

2 MR. TIM MUNSON: I'd like to recognize we have the

3 Logan County Sheriff here with us today, Don Hudgins. Thank

4 you for being here, Don.

5 And there will be an opportunity for a public forum

6 after the official board meeting adjourns. And if you're

7 interested in speaking at that time, please sign up in the

8 back so that we can get you on the list.

9 At this point, could we have a roll call, please.

10 MS. QULANA FIELDS: Mr. Barton.

11 MR. MARK BARTON: Here.

12 MS. QULANA FIELDS: Dr. Ferrell.

13 DR. SHANNON FERRELL: Here.

14 MS. QULANA FIELDS: Mr. Griesel.

15 MR. DAVID GRIESEL: Here.

16 MS. QULANA FIELDS: Dr. Hammon.

17 DR. TRACY HAMMON: Here.

18 MS. QULANA FIELDS: Mr. Hirshey.

19 MR. KEN HIRSHEY: Here.

20 MS. QULANA FIELDS: Mr. Kinder?

21 MR. JIMMY KINDER: Here.

22 MS. QULANA FIELDS: Ms. Kunze.

23 MS. JAN KUNZE: Here.

24 MS. QULANA FIELDS: Mr. Mason.

25 MR. STEVE MASON: Here.

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1 MS. QUIANA FIELDS: Mr. Nicholson is absent.  
2 Mr. Paque.  
3 MR. MIKE PAQUE: Here.  
4 MS. QUIANA FIELDS: Mr. Sims.  
5 MR. BILLY SIMS: Here.  
6 MS. QUIANA FIELDS: Mr. Munson.  
7 MR. TIM MUNSON: Here.  
8 MS. QUIANA FIELDS: We have a quorum.  
9 MR. TIM MUNSON: Thank you.  
10 The next item on the agenda is our minutes from our  
11 September 11th meeting. We've all been provided a copy of  
12 the minutes. Are there any corrections or amendments we  
13 need to make to the minutes?  
14 MR. DAVID GRIESEL: I make a motion to approve the  
15 minutes.  
16 DR. SHANNON FERRELL: Second.  
17 MR. TIM MUNSON: A motion and a second.  
18 Quiana, please, roll call.  
19 MS. QUIANA FIELDS: Mr. Barton.  
20 MR. MARK BARTON: Yes.  
21 MS. QUIANA FIELDS: Dr. Ferrell.  
22 DR. SHANNON FERRELL: Yes.  
23 MS. QUIANA FIELDS: Mr. Griesel.  
24 MR. DAVID GRIESEL: Yes.  
25 MS. QUIANA FIELDS: Dr. Hammon.

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1 DR. TRACY HAMMON: Yes.  
2 MS. QUIANA FIELDS: Mr. Hirshey.  
3 MR. KEN HIRSHEY: Yes.  
4 MS. QUIANA FIELDS: Mr. Kinder?  
5 MR. JIMMY KINDER: Yes.  
6 MS. QUIANA FIELDS: Ms. Kunze.  
7 MS. JAN KUNZE: Yes.  
8 MS. QUIANA FIELDS: Mr. Mason.  
9 MR. STEVE MASON: Yes.  
10 MS. QUIANA FIELDS: Mr. Paque.  
11 MR. MIKE PAQUE: I was absent. I'll abstain.  
12 MS. QUIANA FIELDS: Mr. Sims.  
13 MR. BILLY SIMS: Yes.  
14 MS. QUIANA FIELDS: Mr. Munson.  
15 MR. TIM MUNSON: Yes.  
16 MS. QUIANA FIELDS: Motion passed.  
17 MR. TIM MUNSON: Thank you.  
18 Okay. Our next item is a Rulemaking on Air Pollution  
19 Control. It is a three-part effort and we will need to take  
20 each part, A, B and C, individually and vote on those.  
21 Laura Lodes will be presenting.  
22 MS. LAURA LODES: Good morning, members of the  
23 board, Mr. Chair. As he stated, we have three parts to  
24 this. The first part is Subchapter 39, emissions of  
25 volatile organic compounds (VOCs) in nonattainment areas and

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1 former nonattainment areas. The Department is proposing to  
2 amend OAC 252:100-39-40, Cutback asphalt paving to ensure  
3 that cutback asphalt cannot be used during Oklahoma's  
4 current ozone season in Oklahoma or Tulsa County.  
5 Now, a list of these proposed rule changes was  
6 published in the Oklahoma Register on September 4th, 2008 --  
7 or 2018. The Department received no comments prior to or  
8 during the October 10th, 2018, Air Quality Advisory Council  
9 Meeting. Council unanimously approved the proposal at its  
10 October meeting.  
11 It should be noted that the rule impact statement  
12 provided during the Air Quality Advisory Council meeting  
13 indicated that the rule change only applied to Tulsa County.  
14 The rule impact statement has been updated to reflect that  
15 this rule change affects both Oklahoma County and Tulsa  
16 County. The Rule impact statement would be further updated  
17 after the board meeting to reflect the dates on which it was  
18 prepared and modified.  
19 As chair of the Air Quality Advisory Council, I  
20 recommend that the Board approve the proposed  
21 Chapter 100-39-40 revisions as permanent rules.  
22 The current ozone season runs from March 1 through  
23 November 30th. The ozone season change occurred ten years  
24 ago, 2008, but the rule was not updated. Restriction on  
25 cutback asphalt applies to Oklahoma and Tulsa County only.

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1 AQD notified ODOT so they would be aware to update their  
2 contracts.  
3 Are there any questions?  
4 MR. TIM MUNSON: Any questions on the part of the  
5 Board?  
6 (No response.)  
7 MR. TIM MUNSON: Any questions or comments on the  
8 part of the public?  
9 (No response.)  
10 MR. TIM MUNSON: May I have a recommendation?  
11 MR. JIMMY KINDER: I make a motion to adopt.  
12 DR. SHANNON FERRELL: Second.  
13 MR. TIM MUNSON: Okay. Motion and second. Roll  
14 call, please.  
15 MS. QUIANA FIELDS: Mr. Barton.  
16 MR. MARK BARTON: Yes.  
17 MS. QUIANA FIELDS: Dr. Ferrell.  
18 DR. SHANNON FERRELL: Yes.  
19 MS. QUIANA FIELDS: Mr. Griesel.  
20 MR. DAVID GRIESEL: Yes.  
21 MS. QUIANA FIELDS: Dr. Hammon.  
22 DR. TRACY HAMMON: Yes.  
23 MS. QUIANA FIELDS: Mr. Hirshey.  
24 MR. KEN HIRSHEY: Yes.  
25 MS. QUIANA FIELDS: Mr. Kinder?

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1 MR. JIMMY KINDER: Yes.  
2 MS. QUIANA FIELDS: Ms. Kunze.  
3 MS. JAN KUNZE: Yes.  
4 MS. QUIANA FIELDS: Mr. Mason.  
5 MR. STEVE MASON: Yes.  
6 MS. QUIANA FIELDS: Mr. Paque.  
7 MR. MIKE PAQUE: Yes.  
8 MS. QUIANA FIELDS: Mr. Sims.  
9 MR. BILLY SIMS: Yes.  
10 MS. QUIANA FIELDS: Mr. Munson.  
11 MR. TIM MUNSON: Yes.  
12 MS. QUIANA FIELDS: Motion passed.  
13 MR. TIM MUNSON: Thank you.  
14 MS. LAURA LODES: Thank you.  
15 The next item, item B on today's agenda, is Subchapter  
16 39, emissions of volatile organic compounds (VOCs) in  
17 nonattainment and former nonattainment areas.  
18 The Department is proposing to amend OAC 250 -- 252:  
19 100-39-41, storage loading and transport/delivery of VOCs.  
20 The amendment allows for the use of alternative testing  
21 methods for leak inspections, revise reference used for  
22 pressure and vapor testing to the most recent EPA  
23 regulations, an update to tank truck tag requirements to  
24 reflect current practices.  
25 Notice of the proposed rule change was published in the

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1 Oklahoma Register on September 4th, 2018. The Department  
2 received no comments prior to or during the October 10th,  
3 2018, Air Quality Advisory Council meeting. The Council  
4 unanimously approved the proposal at its October meeting.  
5 As chair of the Air Quality Advisory Council, I  
6 recommend that the Board approve the proposed Chapter  
7 100-39-40 revisions as permanent rules. I'm sorry, that  
8 should say 41 -- revisions as permanent rules.  
9 Additional notes and majority of changes only affect  
10 Tulsa County. The desire is to be able to use infrared  
11 cameras or similar technology to detect leaks. It's also to  
12 get rid of their requirement for AQD to supply a vapor  
13 tightness inspection stickers for trucks since facilities  
14 use electronic lock-out procedures to prevent filling of  
15 untested tanks rather than visual sticker confirmation.  
16 MR. TIM MUNSON: Any questions on the part of the  
17 Board?  
18 (No response.)  
19 MR. TIM MUNSON: Questions or comments from the  
20 public?  
21 (No Response.)  
22 MR. TIM MUNSON: Do we have a recommendation?  
23 MR. DAVID GRIESEL: Move for approval.  
24 MS. TRACY HAMMON: Second.  
25 MR. TIM MUNSON: Motion and second. Roll call,

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1 please.  
2 MS. QUIANA FIELDS: Mr. Barton.  
3 MR. MARK BARTON: Yes.  
4 MS. QUIANA FIELDS: Dr. Ferrell.  
5 DR. SHANNON FERRELL: Yes.  
6 MS. QUIANA FIELDS: Mr. Griesel.  
7 MR. DAVID GRIESEL: Yes.  
8 MS. QUIANA FIELDS: Dr. Hammon.  
9 DR. TRACY HAMMON: Yes.  
10 MS. QUIANA FIELDS: Mr. Hirshey.  
11 MR. KEN HIRSHEY: Yes.  
12 MS. QUIANA FIELDS: Mr. Kinder?  
13 MR. JIMMY KINDER: Yes.  
14 MS. QUIANA FIELDS: Ms. Kunze.  
15 MS. JAN KUNZE: Yes.  
16 MS. QUIANA FIELDS: Mr. Mason.  
17 MR. STEVE MASON: Yes.  
18 MS. QUIANA FIELDS: Mr. Paque.  
19 MR. MIKE PAQUE: Yes.  
20 MS. QUIANA FIELDS: Mr. Sims.  
21 MR. BILLY SIMS: Yes.  
22 MS. QUIANA FIELDS: Mr. Munson.  
23 MR. TIM MUNSON: Yes.  
24 MS. QUIANA FIELDS: Motion passed.  
25 MR. TIM MUNSON: Thank you.

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1 Laura, part C.  
2 MS. LAURA LODES: Part C, Subchapter 2 in Appendix  
3 Q, Incorporation by Reference. The Department is proposing  
4 that the language in Subchapter 2, Incorporation by  
5 Reference, to reflect the new date of incorporation for  
6 Appendix Q, updated as of June 30th, 2018. This proposal is  
7 part of the annual update of Title 40, Code of Federal  
8 Regulations, Incorporation by Reference, in Chapter 100.  
9 The purpose of the update 252:100, Appendix Q,  
10 Incorporation by Reference, is to incorporate the latest  
11 changes to EPA regulations. Included are changes or  
12 modifications to 40 CFR, part 60, new source performance  
13 standards and part 63, national emission standards for  
14 hazardous air pollutants (NESHAP) as well as other reference  
15 supplements. Title 40 Code of Federal Regulations  
16 Incorporations by Reference, are annually updated and the  
17 DEQ Air Pollution Control Rules, the Oklahoma rules or  
18 rulemaking dictate the procedures for amending a rule  
19 appendix by revoking the old and creating an entirely new  
20 appendix.  
21 Notice of the proposed rule change was published in the  
22 Oklahoma Register on September 4th, 2018. The Department  
23 received no comments prior to or during the October 10th,  
24 2018, Air Advisory Council meeting. The Council unanimously  
25 approved the proposal at its October meeting. As chair of



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1 the Air Quality Advisory Council, I recommend that the board  
 2 approve the proposed Chapter 100-2 and Appendix Q revisions  
 3 as permanent rules.

4 MR. TIM MUNSON: Thank you, Laura.

5 Any questions or comments from the board?  
 6 (No response.)

7 MR. TIM MUNSON: Questions, comments from the  
 8 public?  
 9 (No response.)

10 MR. TIM MUNSON: I see none. Do we have a  
 11 recommendation?

12 DR. TRACY HAMMON: I'll move to approve.

13 MR. MARK BARTON: Second.

14 MR. TIM MUNSON: Motion and second.  
 15 Quiana, roll call, please.

16 MS. QUIANA FIELDS: Mr. Barton.

17 MR. MARK BARTON: Yes.

18 MS. QUIANA FIELDS: Dr. Ferrell.

19 DR. SHANNON FERRELL: Yes.

20 MS. QUIANA FIELDS: Mr. Griesel.

21 MR. DAVID GRIESEL: Yes.

22 MS. QUIANA FIELDS: Dr. Hammon.

23 DR. TRACY HAMMON: Yes.

24 MS. QUIANA FIELDS: Mr. Hirshey.

25 MR. KEN HIRSHEY: Yes.

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1 MS. QUIANA FIELDS: Mr. Kinder?  
 2 MR. JIMMY KINDER: Yes.

3 MS. QUIANA FIELDS: Ms. Kunze.  
 4 MS. JAN KUNZE: Yes.

5 MS. QUIANA FIELDS: Mr. Mason.  
 6 MR. STEVE MASON: Yes.

7 MS. QUIANA FIELDS: Mr. Paque.  
 8 MR. MIKE PAQUE: Yes.

9 MS. QUIANA FIELDS: Mr. Sims.  
 10 MR. BILLY SIMS: Yes.

11 MS. QUIANA FIELDS: Mr. Munson.  
 12 MR. TIM MUNSON: Yes.

13 MS. QUIANA FIELDS: Motion passed.  
 14 MR. TIM MUNSON: Thank you.

15 MS. LAURA LODES: Thank you.  
 16 MR. TIM MUNSON: Thank you, Laura.

17 We'll move on to item six, Oklahoma Pollutant Discharge  
 18 Elimination System Standards. Presentation by Shellie, yes.  
 19 Okay.

20 MS. SHELLIE CHARD: Yes, I am not Brian.  
 21 MR. TIM MUNSON: Didn't think you were.

22 MS. SHELLIE CHARD: Good morning, everyone. I do  
 23 bring Brian Duzan's regrets to the board. He had an issue  
 24 come up unexpectedly, so he was unable to be here with us,  
 25 so I will be presenting on behalf of the council.

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1 The one rulemaking that we have before you today is the  
 2 update and incorporation by reference for Chapter 606 of our  
 3 rules. These are our primary rules that we use to implement  
 4 the OPDES program, the Oklahoma Pollutant Discharge  
 5 Elimination System, which is the state fees of the Federal  
 6 Clean Water Act Discharge Permitting Program.

7 The changes today are we're updating the incorporation  
 8 by reference. There are really three significant issues  
 9 that we are including in this update. One is the method  
 10 update rule language. This is what the EPA requires of labs  
 11 and detection levels and certain testing methods.

12 We also are adopting the new language related to storm  
 13 water permitting. The EPA has changed their approach to  
 14 allow two different avenues that states and municipalities  
 15 can go through on the permitting process. One of them is  
 16 very much what we've been doing now for about ten years.

17 One of them allows for a more complex permitting system  
 18 that's primarily used in the wetter parts of the country.

19 And then we also have the third piece is we carve out  
 20 the language where we do not use the federal definition of  
 21 waters of the U.S. This is because there's been so much  
 22 litigation, that's not news to anyone that's been paying  
 23 attention to those issues. And our state definition is  
 24 adequate to implement all of the federal programs so we  
 25 default to our state statutory language on that.

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1 But DEQ staff held informal public meetings in  
 2 Oklahoma City and Tulsa. We also presented this language to  
 3 the council in two different meetings with the -- that was  
 4 in July and in September. There were no formal comments  
 5 submitted on the rulemaking, and the Council recommended to  
 6 you for approval unanimously.

7 I'd be happy to answer any questions if anyone has any.

8 MR. TIM MUNSON: Any questions from the board?  
 9 (No response.)

10 MR. TIM MUNSON: Any questions, comments from the  
 11 public?  
 12 (No response.)

13 MR. TIM MUNSON: Okay. Do we have a  
 14 recommendation from the board?

15 MR. JIMMY KINDER: I move to approve.  
 16 MR. MIKE PAQUE: Second.

17 MR. TIM MUNSON: Okay. We have a motion and a  
 18 second. May we have a roll call, please.

19 MS. QUIANA FIELDS: Mr. Barton.  
 20 MR. MARK BARTON: Yes.

21 MS. QUIANA FIELDS: Dr. Ferrell.  
 22 DR. SHANNON FERRELL: Yes.

23 MS. QUIANA FIELDS: Mr. Griesel.  
 24 MR. DAVID GRIESEL: Yes.

25 MS. QUIANA FIELDS: Dr. Hammon.

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1 DR. TRACY HAMMON: Yes.  
2 MS. QUIANA FIELDS: Mr. Hirshey.  
3 MR. KEN HIRSHEY: Yes.  
4 MS. QUIANA FIELDS: Mr. Kinder?  
5 MR. JIMMY KINDER: Yes.  
6 MS. QUIANA FIELDS: Ms. Kunze.  
7 MS. JAN KUNZE: Yes.  
8 MS. QUIANA FIELDS: Mr. Mason.  
9 MR. STEVE MASON: Yes.  
10 MS. QUIANA FIELDS: Mr. Paque.  
11 MR. MIKE PAQUE: Yes.  
12 MS. QUIANA FIELDS: Mr. Sims.  
13 MR. BILLY SIMS: Yes.  
14 MS. QUIANA FIELDS: Mr. Munson.  
15 MR. TIM MUNSON: Yes.  
16 MS. QUIANA FIELDS: Motion passed.  
17 MR. TIM MUNSON: Thank you.  
18 Thank you, Shellie.  
19 We'll move on to item number seven, the  
20 Annual Environmental Quality Report. Jimmy Givens will give  
21 us a presentation.  
22 MR. JIMMY GIVENS: Good morning. Those of you,  
23 who have been around for a while, are very familiar with the  
24 Environmental Quality Report. If you want to see the slides  
25 and you're on this side of the unit, you may want to, you

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1 know, move out here or turn your chairs around.  
2 I'll try to be brief because all of you have had the  
3 opportunity to read the report itself. But we thought we  
4 would highlight some of the most important aspects of it.  
5 Those of you in the audience may not have had the chance to  
6 read it.  
7 Just by way of overview, these are three elements that,  
8 by statute, are required to be in the report. The first is  
9 the recap of annual needs, which is actually a section in  
10 our budget request to the Governor and Legislature. Any  
11 federal mandates, and obviously we can't go over every  
12 federal requirement that may be coming down the pike or  
13 recently enacted, but we'll hit some of the most important  
14 ones.  
15 And finally, legislative recommendations, those  
16 requests for bills that we intend to present to the  
17 legislature in the upcoming session.  
18 The first part of that, the budget request, you  
19 actually already approved in September when you had your  
20 board meeting. The reason for that is that the request has  
21 to be submitted by October the 1st. So even though you've  
22 already approved it, it also has to go into the  
23 Environmental Quality Report and you will approve it again  
24 essentially as part of the entire report.  
25 Just by way of refresher, we asked for about \$8.2

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1 million dollars in general appropriations. That's 1.7  
2 million more than last year. It's still significantly less  
3 than what we got in general appropriations as recently as,  
4 say, five or six years ago.  
5 We're trying to build back up our personnel, our  
6 staffing level a little bit in the divisions that are  
7 supported with some general revenue money. That would be  
8 the lab and ECLS and water.  
9 We're trying to expand our water audit -- water Loss  
10 Audit program a little bit to help out smaller communities.  
11 I'm sure all of you have probably heard about that program.  
12 It's going very well. And replace the lab equipment.  
13 One other thing that we mentioned, that we were trying  
14 to do with some of our contribution, our employer  
15 contribution for retirement, the federal government has  
16 disallowed any federal money from going to that because of  
17 the way the Legislature arranged that for new employees a  
18 couple of years ago. So that has to come from somewhere  
19 besides federal money, so we're asking for some additional  
20 appropriation to help with that requirement. Again, that  
21 has all been approved. But it will go into the  
22 Environmental Quality Report along with the federal mandates  
23 and the bill request.  
24 Federal mandates, as I said, we'll only hit the high  
25 points. And one of the most notable is the effort to revise

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1 or rewrite, or however you may want to characterize it, the  
2 Clean Power Plan. That was, of course, an Obama era rule.  
3 It was challenged by a number of entities. The Supreme  
4 Court stayed the implementation of that rule and the  
5 D.C. Circuit actually put the litigation itself on hold.  
6 Last year, EPA under the Trump Administration, proposed  
7 to repeal the Clean Power Plan and replace it -- they have  
8 now proposed to replace it with what they're calling the ACE  
9 the Affordable Clean Energy Rule. A little bit more  
10 inside-the-fence approach rather than the more expansive  
11 approach that was under Clean Power Plan.  
12 The comment period on that just closed. What we can  
13 safely -- we don't what it will say at the end of the day.  
14 What we can safely say is whatever it says, there will be  
15 litigation over it. So we're nowhere near the end of this.  
16 Again, relating to air quality, this is not perhaps a  
17 federal mandate per se, but it does have a pretty big  
18 impact on DEQ and we thought it was worth mentioning. A  
19 couple years ago EPA, I'm sure you've heard, sued  
20 Volkswagen over some defeat devices that they had to  
21 basically make their emissions lower when they were tested  
22 than was actually the case when they were on the road.  
23 That was settled. And Oklahoma, along with all the  
24 other states, gets a part of that settlement to try to  
25 implement some measures that will reduce emissions. DEQ was

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1 designated, by the governor, as the lead agency on that or  
2 the beneficiary agency. Our plan has now been accepted by  
3 the trust that's administering that program, and we are in  
4 the process of developing requests for proposal for entities  
5 that may want to take advantage of that money to try to --  
6 it has -- I think there are two major components.  
7 Shellie or Beverly can tell you a lot more about this  
8 than I can. But I think the two major components are  
9 alternative fuel school buses and then infrastructure for  
10 zero emission vehicles. And so both of those we will be  
11 accepting requests for proposals over the next few months.  
12 And actually, I think we may already be doing that for the  
13 alternative fuel school buses.  
14 We don't actually -- by the way, that 21 million didn't  
15 just get dropped into our account. That will be -- come  
16 over time on a reimbursement basis, I think. But over the  
17 course of the next several years, there will be a total of  
18 21 million available for those purposes.  
19 Every year we talk about ozone, and you know very well  
20 by now that the standard was dropped from 75 to 70 PPB a few  
21 years ago and we are in attainment. We had three good years  
22 in a row. We measured the fourth highest reading over three  
23 years and averaged that out, and we were in good shape in  
24 2014 through 2016. Those three years were relatively good  
25 years in terms of our ozone levels here in Oklahoma. So we

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1 were designated to be in attainment with the ozone standard.  
2 2018, not so good a year. It didn't put us out of  
3 attainment, but it does put us much closer to the  
4 borderline, so we need a better year in 2019. Hope the  
5 winds blows a lot in the summer of 2019, I guess.  
6 The only thing probably in land protection that we  
7 wanted to highlight for you is the coal combustion  
8 residuals. You all know that we adopted a rule a few years  
9 ago that allowed us to regulate coal combustion residuals.  
10 The federal government came along and decided that it  
11 would work better, rather than having a self-implementing  
12 federal statute to put in provisions that allow for the  
13 states to have their own approved programs, and so that has  
14 now been done. Oklahoma DEQ applied for authorization, was  
15 the first entity in the country to get authorization from  
16 EPA or a state program to regulate CCR.  
17 We will have program reviews every 12 years.  
18 Obviously, they have a general oversight, just like they do  
19 with other authorized programs. We will be bringing some  
20 rules back to you in the future to tweak a few things that  
21 have been changed at the federal level, but we are  
22 authorized for state program for that now.  
23 There's a lot of overlap when it comes to water quality  
24 and the lab on federal regulations as you might expect. We  
25 mention Clean Power Plan, probably the most other prominent

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1 rule over the past few years has been waters of the U.S. or,  
2 as it came to be known, the Clean Water Rule.  
3 I probably have these first two arrows a little bit  
4 backwards. It's important to understand that right now  
5 court decisions or court rulings have resulted in a  
6 patchwork. Depending on which state you're in, you may be  
7 under the newer rule or you may be back to what existed  
8 prior to that.  
9 EPA and the Corp of Engineers are working on a  
10 replacement rule. We don't know what it will say exactly.  
11 But probably whatever happens, as with the old rule, there  
12 will be more litigation over that just like there was with  
13 the Clean Power Plan.  
14 MR. STEVE MASON: So, Jimmy, which part of the  
15 patchwork are we?  
16 MR. JIMMY GIVENS: We actually are under the newer  
17 rule. Am I correct on that, Rob?  
18 MR. SINGLETARY: That's correct. But the Attorney  
19 General's office has filed a challenge in the Northern  
20 District and we'll see what the court -- Jennifer may be  
21 able to give us more details on that, but that could change  
22 the applicability here in Oklahoma.  
23 MS. JENNIFER LEWIS: It's my understanding that  
24 we've filed a motion to reopen the cases and that we have  
25 not heard back from the judge on that, and that's about all

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1 I know.  
2 MR. STEVE MASON: Okay.  
3 MR. JIMMY GIVENS: Moving down to oil and gas  
4 extraction effluent limitation guidelines. EPA is reviewing  
5 those guidelines relating to E&P. They may change. They  
6 may leave them as they are. Probably the most important  
7 point for our purpose is that under legislation, in the 2017  
8 Oklahoma legislative session I think it was, DEQ -- well,  
9 actually DEQ and Corporation Commission were given kind of  
10 joint responsibility for discharges. But under an MOA  
11 worked out with the Corporation Commission, DEQ will  
12 actually be the permitting authority for that when EPA  
13 grants delegation to Oklahoma, which will -- has not  
14 happened yet, but could happen as early as sometime in 2019.  
15 So at some point, we will take on that responsibility, which  
16 currently lies with EPA.  
17 Peak flow management, just mention to you something  
18 that you can look to come down the road at some point. It  
19 probably will come before you. Providing more flexibility  
20 to municipal wastewater treatment plants when they are  
21 overloaded or overwhelmed during heavy rainfall events.  
22 I think the gist of this is to allow municipalities not  
23 to have to overbuild. And Shellie, I'm sure, can tell you a  
24 lot more about this rule, but it is something that in the  
25 next couple years we probably will see more rulemaking and

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1 it will end up with you at some point.  
2 Per- and Polyfluoroalkyl compounds. Can't tell you how  
3 many times I practiced saying that. I've pretty much told  
4 you all I know about it, as well, when I pronounced it.  
5 (Laughter.)  
6 MR. JIMMY GIVENS: What I do know is that these  
7 compounds are ubiquitous and they are receiving more and  
8 more attention. They are a -- they are in firefighting  
9 foam. I think maybe some of the impacts to groundwater may  
10 be what caused this to kind of rise in importance in the  
11 eyes of these people.  
12 But they -- you know, it's in non-stick cookware. It's  
13 in your clothing if you're stain repellent or water  
14 repellent. And I think the summary is that nobody is  
15 exactly sure what the risk is or exactly what to do about  
16 it. But EPA is working on that. We expect that they will  
17 probably come out with some guidelines in the foreseeable  
18 future, and so this is something that is very high on the  
19 radar, on a national level, and we probably will be dealing  
20 with it in the foreseeable future.  
21 As you might imagine, the impacts will range across our  
22 divisions, water quality and the lab in particular. But  
23 because it could impact groundwater cleanups, land  
24 protection will also be impacted by it and environmental  
25 complaints and local services, as well.

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1 MR. JIMMY KINDER: Jimmy, before you get off of  
2 that, can you talk to us about maybe our lab's ability to  
3 test for some of these?  
4 MR. JIMMY GIVENS: Yeah. I think at this point,  
5 it's limited. But let me turn to Chris.  
6 Where are you, Chris?  
7 MR. CHRIS ARMSTRONG: We have no analytical  
8 capability of our own to test compounds at this point.  
9 MR. JIMMY KINDER: Thank you.  
10 MR. JIMMY GIVENS: That's very limited.  
11 MR. CHRIS ARMSTRONG: It's an expensive  
12 methodology.  
13 MR. JIMMY GIVENS: Anything else before I move on?  
14 Which actually kind of refers back to the legislative  
15 request, because we have -- I mean, the budget request. We  
16 have to periodically replace laboratory equipment, of  
17 course. But beyond that, there are all the time new  
18 requirements coming along for which we have to have  
19 equipment that we don't currently have. So that's part of  
20 the reason for that item in the budget request.  
21 Our bill request that we expect in the upcoming  
22 session, we have talked about this in the past. I don't  
23 recall whether we have ever brought it before you or not.  
24 But it would be very helpful to us to have legislative  
25 authority to have a petty cash fund. A lot of our smaller

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1 license fees come in. People come in, individuals come in  
2 and they pay in cash. Currently, we really don't have any  
3 efficient, effective method of making change. There are a  
4 lot of State agencies that have this authority, but you have  
5 to have it in statute in order to have a petty cash fund.  
6 So all we're asking for really is a couple of hundred  
7 dollars in petty cash so we can make change for individuals  
8 that come in instead of having to work around that by  
9 literally some individual on staff coming up with change  
10 somehow.  
11 And then the authorization, the bond issue. This is  
12 not new to you. You know that we desperately need to be  
13 making repairs on our parking garage. We elected not to --  
14 well, I say we elected not to. The bill request, that we  
15 made last year, didn't proceed very far during the session  
16 because the judgment call was made by the author that that  
17 was not a good year to try that. So we will continue to  
18 look for opportunities to move ahead a bill that would allow  
19 us to use bond financing to make repairs to the garage.  
20 Every year that goes by, that becomes a little bit more  
21 urgent.  
22 So those are the only two that we anticipate right now  
23 going to the legislature and asking for. Of course, as  
24 things come up during the session, we will keep you posted.  
25 And that is all I have unless you have questions, and I

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1 will try to answer them or find someone who can.  
2 MR. TIM MUNSON: Thank you, Jimmy.  
3 Do we have any questions for Jimmy?  
4 (No response.)  
5 MR. TIM MUNSON: Jimmy, did you want to point this  
6 out? I mean, does this give access to the URL to go look at  
7 the report or is this something separate?  
8 MR. JIMMY GIVENS: Are you going to cover that  
9 in -- that's the annual report.  
10 MR. TIM MUNSON: Okay. I'm sorry.  
11 MR. JIMMY GIVENS: Different -- it's confusing,  
12 but the annual report is separate from the annual quality  
13 report.  
14 MR. TIM MUNSON: All right. Anybody have any  
15 questions, comments?  
16 (No response.)  
17 MR. TIM MUNSON: Any questions or comments from  
18 the public?  
19 (No response.)  
20 MR. TIM MUNSON: Okay. Do we have a motion to  
21 approve the report?  
22 MR. BILLY SIMS: So moved.  
23 MR. MIKE PAQUE: Seconded.  
24 MR. TIM MUNSON: A motion and a second. Can we  
25 have a roll call, please?

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1 MS. QUILANA FIELDS: Mr. Barton.  
 2 MR. MARK BARTON: Yes.  
 3 MS. QUILANA FIELDS: Dr. Ferrell.  
 4 DR. SHANNON FERRELL: Yes.  
 5 MS. QUILANA FIELDS: Mr. Griesel.  
 6 MR. DAVID GRIESEL: Yes.  
 7 MS. QUILANA FIELDS: Dr. Hammon.  
 8 DR. TRACY HAMMON: Yes.  
 9 MS. QUILANA FIELDS: Mr. Hirshey.  
 10 MR. KEN HIRSHEY: Yes.  
 11 MS. QUILANA FIELDS: Mr. Kinder?  
 12 MR. JIMMY KINDER: Yes.  
 13 MS. QUILANA FIELDS: Ms. Kunze.  
 14 MS. JAN KUNZE: Yes.  
 15 MS. QUILANA FIELDS: Mr. Mason.  
 16 MR. STEVE MASON: Yes.  
 17 MS. QUILANA FIELDS: Mr. Paque.  
 18 MR. MIKE PAQUE: Yes.  
 19 MS. QUILANA FIELDS: Mr. Sims.  
 20 MR. BILLY SIMS: Yes.  
 21 MS. QUILANA FIELDS: Mr. Munson.  
 22 MR. TIM MUNSON: Yes.  
 23 MS. QUILANA FIELDS: Motion passed.  
 24 MR. TIM MUNSON: Thank you. Now we'd like to move  
 25 on to item eight, Executive Director's Report. I'll turn it

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1 over to Scott.  
 2 MR. SCOTT THOMPSON: All right. Well, we're happy  
 3 to be in Guthrie at this facility. I'm pretty impressed  
 4 with it. But there's a couple of things that I'd like to  
 5 mention.  
 6 To start off, one Rita Kottke, who ran our Brownfields  
 7 Program for a long time and worked in our Superfund program  
 8 passed away recently, and so we're really going to miss her.  
 9 But we had -- we had a nice memorial service for her and her  
 10 family came down and was -- she's originally from Guymon.  
 11 So at least we were able to help comfort them a little in  
 12 that. But she was great. Did a lot of things, really --  
 13 really made a difference in Oklahoma.  
 14 And then Rob Singletary is going to abandon Oklahoma  
 15 for another role at the end of this month. And so, you  
 16 know, feel free to call him Benedict Arnold.  
 17 (Laughter.)  
 18 MR. SCOTT THOMPSON: And I think you are going to  
 19 the military. Is it the Army or --  
 20 MR. ROB SINGLETARY: Yeah, the Army Environmental  
 21 Command --  
 22 MR. SCOTT THOMPSON: Okay.  
 23 MR. ROB SINGLETARY: -- down in San Antonio.  
 24 MR. SCOTT THOMPSON: All right. So we'll have to  
 25 pick on Fort Sill some, make his life harder.

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1 (Laughter.)  
 2 MR. SCOTT THOMPSON: But we will miss Rob.  
 3 And, you know, here in Guthrie we've had a few projects  
 4 over the years. There's an armory that we helped clean up  
 5 and we were able to do that in 2014. It's now used for  
 6 police and fire training classes and some offices for the  
 7 Guthrie Neighborhood Solutions and some general storage for  
 8 the City.  
 9 We also -- our hazardous waste has provided some money  
 10 to the local emergency planning committee for the purchase  
 11 of five portable radios, chargers, and antennas to help with  
 12 their activities, which, you know, they do a lot of good.  
 13 These emergency response folks have to be ready for when it  
 14 really happens. So that's good.  
 15 And we also gave a solid waste grant to the Logan  
 16 County Sheriff's Trash Cop program. And Sheriff Hudgins is  
 17 here and I'd like to ask him, if he would like, to give us a  
 18 little brief description of the program. Thank you.  
 19 SHERIFF DON HUDGINS: Good morning. My name  
 20 Don Hudgins. I'm a Deputy Sheriff with the Logan County  
 21 Sheriff's Office.  
 22 I heard about this program, the grant program was  
 23 available through the Keep Oklahoma Beautiful Campaign  
 24 during one of our training sessions with Janette last -- a  
 25 year ago last April. And I put together a grant request,

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1 sent it in, and we got approved.  
 2 The Sheriff put me in charge of the program. I began  
 3 work October 1st of last year. At the end of September of  
 4 this year, I did an annual report. I basically used an  
 5 unmarked vehicle to go around scouting for dump sites along  
 6 the roadside, things along those lines. Citizens  
 7 complaints, patrol officers forwarded information to me. I  
 8 go to those dump sites. I investigate. I put on my gloves  
 9 and boots and dig through the trash and try to find names,  
 10 addresses, other indicators as to where the trash came from.  
 11 I have filed charges -- I can't remember the exact  
 12 number -- about 16 times in the last year. Twelve of those  
 13 have come to completion with convictions, several pending  
 14 cases.  
 15 We have coordinated with the County Commissioners.  
 16 They have allowed me to utilize some of their heavy  
 17 equipment at the larger dump sites. I do utilize inmate  
 18 labor, trustee inmates to do some of the cleanup. We also  
 19 do roadside picks up, just a general, you know, beer cans,  
 20 pop bottles, things that are thrown out the window as they  
 21 go down the road. And in a year's time, we've exceeded 29  
 22 tons of trash that we've cleaned up in Logan County.  
 23 And so we've had a lot of success. I have noticed the  
 24 first or five six months, I was investigating, on average,  
 25 about 14 to 16 dump sites per month. That has gone down to

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1 seven or eight dump sites per month in the second six months  
2 of my first year.

3 The word has gotten out, people who I've talked to, the  
4 word is out that I'm using cameras. And people, when they  
5 do dump their trash, I'm finding envelopes with the names  
6 and addresses ripped off, things like that. They're taking  
7 counter measures. I've had a few cameras stolen, a few  
8 cameras destroyed. But I'm getting better at hiding the  
9 cameras.

10 So I've been able to make several cases using -- and  
11 I'm just using what the deer hunters use, the game cameras.  
12 I camouflaged them nearby trying to get tag numbers coming  
13 and going from the dump sites and things like that.

14 It has been quite successful. It has met with a lot of  
15 positive feedback from the public and also from other  
16 agencies, and I do believe it's been a huge benefit for the  
17 citizens here in Logan county.

18 MR. TIM MUNSON: Okay. Thank you.  
19 (Applause.)

20 MR. SCOTT THOMPSON: You know, throughout my  
21 career, especially in the beginning of my career, you know,  
22 I noticed that when I would cross over the border, state  
23 line, I would see nice little towns that were pretty clean  
24 and in some parts of Oklahoma, you would see a lot of trash,  
25 a lot of open dumping and stuff. And so, I mean, if you

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1 want your communities to prosper, if you want to bring in  
2 new business, you want to bring in folks to the area, it's a  
3 lot better if it's cleaner.

4 And solid waste is not real sexy, it doesn't get a lot  
5 of attention. But I think working with the local folks,  
6 sheriff's offices, DAs and other county officials has really  
7 paid off in terms of making a difference in changing the way  
8 our environment looks and being protective of the streams  
9 and stuff. So I really appreciate your work.

10 Some of the things have gone -- I recently testified  
11 before a Senate interim study on aquifer recharge. It's  
12 basically a desire to do a study by O.U. on moving water  
13 from an aquifer in eastern Oklahoma to an aquifer in western  
14 Oklahoma. I think the stuff that they were -- the way that  
15 they were scoping it was pretty good. I don't know that  
16 it's a realistic project. Maybe it will get funded, maybe  
17 not.

18 But I'd like to do a similar study for places where the  
19 water supply is a lot closer to the aquifer that you might  
20 store it so that we could try to save some of the water that  
21 just evaporates every year, but we're working on that  
22 through our aquifer storage and recharge program. We're  
23 also working with a number of other folks on that.

24 We have, of course, a bunch of new legislators, a new  
25 governor. We're looking forward to working with those

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1 folks. There's 55 new legislators. And of the entire  
2 legislature, 111 of them will have four years or less  
3 experience. So that's going to be quite a challenge to make  
4 sure that we educate folks and help them understand what we  
5 do, get as many of them that are coming in with experience  
6 in a certain area, but not necessarily a broad experience.  
7 They're going to be hit with, with all different kinds of  
8 issues and different kinds of agencies, and all the stuff  
9 they're going to have to learn is going to be quite a  
10 challenge for them. So we're going to be working on that.

11 Recently we had a little ribbon-cutting ceremony in  
12 Henryetta at a smelter site we had cleaned up and on a  
13 parcel of property that wasn't really -- hadn't had much on  
14 it. And we worked with EPA years ago to get that property  
15 cleaned up. And now there's a new health clinic on there,  
16 on the lease site in Henryetta, and it's a great little  
17 facility. It's really nice. And it's all the Region Six  
18 administrator. We had Ken Wagner from EPA headquarters  
19 attend that, Senator Roger Thompson was there. It was a  
20 nice deal and it's a really good facility, and I think it's  
21 going to be beneficial to that community.

22 So that's one of those things we really like to see  
23 happen is take something that's a liability for citizens in  
24 the area and turn it into an asset. So that's a good story.  
25 Shellie Chard recently received the Environmental

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1 Statesman Award from the Association of Clean Water  
2 Administrators. It's a pretty prestigious award presented  
3 to a Clean Water Act administrator who has demonstrated  
4 outstanding service over many years in protecting the  
5 nation's waterbodies. There have been 37 of these awards  
6 since 1979 given to governors, senators, state agency  
7 directors, state Clean Water Act administrators, so  
8 congratulate Shellie on that.

9 (Applause.)

10 MR. SCOTT THOMPSON: All right. And Shellie got  
11 to demonstrate her work ethic, along with some of the folks  
12 in the lab, on -- last week we had 11 copper exceeds at  
13 Washington Elementary School, which has about 600 students.  
14 And it was in Norman. The school was on its own wells and  
15 there was an exceedance identified last Friday, and then we  
16 worked with the school officials to try to rapidly resample  
17 and sample most of the sources, potential use points in the  
18 system there at the school. And, you know, under an  
19 abundance of caution, they started using alternative water  
20 until we got his sorted out.

21 But the problem appeared to be that it was a sampling  
22 technique issue. Somebody took a jar and rubbed it up on a  
23 really grungy faucet that sort of biased the samples. So we  
24 were able to resample that. Some of our folks went up there  
25 from Water Quality, the State lab and our county office

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1 folks, ECLS, and started at 5:00 a.m. on Tuesday morning  
2 pulling samples before school to try to get them run as  
3 quick as we could, and did not interfere with the school  
4 day. So I'd like to thank those folks who made that effort.  
5 So that's just one of our -- that's just routine  
6 sampling that we do or work with communities and schools on  
7 is try to test that. Anytime there's a hit, we want to go  
8 make sure it's real and doublecheck that. Because  
9 otherwise, you wind up with long-term issues and expenses  
10 that maybe are unnecessary or may be necessary. If there's  
11 a real issue, we need to find out what it is.  
12 Anyway, and the external affairs staff prepared our  
13 annual report and you have these cards here that will give  
14 you directions on how to find it online. It's kind of at a  
15 different website, gousa.gov, and then there's another  
16 description of what you have to type in to get to the  
17 website. So I think that's out there. Take a look at that.  
18 I'm sure it's interesting to y'all.  
19 And I think we're probably ready for the budget  
20 discussion.  
21 MR. TIM MUNSON: Okay. Thank you, Scott.  
22 Kathy, will you come forward.  
23 MS. KATHY AEBISCHER: Good morning. I'm going to  
24 go over the first quarter of the fiscal year. So the first  
25 quarter on the revenue side, there's not any major issues.

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1 The lab looks like it's \$64,000 less than prior year. It's  
2 a timing issue. We got a payment in October, so it will  
3 show up.  
4 Also, if you look at Air, compared to last year, it's  
5 \$995,000 over. 167,000 of that is the first kind of wave of  
6 the V.W. fund. Their first plan was approved and those  
7 entities purchased their buses and we've reimbursed them.  
8 So those are the funds that have come in from the federal  
9 escrow account. The remaining 827 for Air is operating fees  
10 overprojections, so they're in really good shape.  
11 And the Land is really -- we collected fees in FY '18  
12 that were FY '17, so it kind of distorts it a little bit.  
13 But everybody -- every division is doing okay and nothing to  
14 be concerned about at this point.  
15 On the expenditures side, we have expended 12 and a  
16 half million from the first quarter. We're on pace as  
17 compared to last year. Some of the projects are a little  
18 delayed because of all the rain that we've had, but no  
19 concerns. Everything is proceeding as expected.  
20 On the funding side, with some of the changes  
21 throughout the year, I wanted to really explain. Because if  
22 you just compare numbers to previous years of the total  
23 budget, it would look like DEQ has really increased their  
24 budget and doing very, very well.  
25 In '15 -- well, and if you look at the Environmental

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1 Settlement Fund, the 40500, which is a new fund that we have  
2 put in place this year to receive the V.W. funds, we will  
3 receive them over the next several years. For this current  
4 year, we budgeted 6.2. So that's increased our budget.  
5 And then in FY '15, we rolled over the 41 Water  
6 Management Federal Fund. That is OSEE funds. That's their  
7 budget. They just rolled it into ours and we help them  
8 manage it. But that's not DEQ's funds.  
9 So if you compare '14, FY '14, DEQ's budget was  
10 74 million. And then if you look today it's 96 million, but  
11 that's just because of those increases in those areas. But  
12 we still do have some divisions, especially those dependent  
13 on State appropriations, which have continued to decrease  
14 over the years. They're still struggling somewhat, as Jimmy  
15 indicated on his annual report.  
16 But I thought I'd pull these notes out just so that you  
17 could have that information as, you know, if you compare  
18 previous years or had questions.  
19 Do we have any questions on the funding?  
20 (No response.)  
21 MS. KATHY AEBISCHER: So we started the program.  
22 We originally called it Prioritization. As we worked  
23 through it the past year, we felt like it needed a different  
24 name because we didn't want to feel like we were looking at  
25 our programs to eliminate. Our main purpose is to look at

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1 our programs and make them more efficient and make sure  
2 we're not duplicating services when it crosses divisions or  
3 other agencies and just finding better ways to streamline,  
4 especially in those areas that are really struggling with  
5 limited funds.  
6 So the project name is Program Optimization and have  
7 finished the list of DEQ's programs. We selected two pilot  
8 programs, the Lead Base Paint and Private Water. We're  
9 going to run through the process. We established evaluation  
10 criteria. So we're going to start with those two programs  
11 to kind of test out our steps and process. After that,  
12 we'll review and adjust, if necessary.  
13 If you remember, I kind of set up a structure of a work  
14 group, which is the Level III managers or managers over  
15 major programs. That's where we did a lot of the work, came  
16 up with the evaluation criteria and then that was funneled  
17 up to the executive oversight committee for approval. And  
18 that committee consisted of the division directors,  
19 assistant directors.  
20 So with these steps, we've established the program  
21 list, we established agency priority, and we established  
22 evaluation criteria, and then we selected to the pilot. So  
23 over the next few months, we should have some good results  
24 to report to you on how that's going.  
25 Do we have any questions?

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1 MR. MIKE PAQUE: I have one on the Volkswagen  
2 Settlement fund, there needs to be a set -- how long a  
3 duration does that go on?  
4 MS. KATHY AEBISCHER: I think it's like ten years  
5 we have. Yeah, it's like ten years to spend the money.  
6 MR. MIKE PAQUE: So that number, the 167, that's  
7 driven by grant applications?  
8 MS. KATHY AEBISCHER: Yes, that -- they submit a  
9 plan and it's approved and then they do grant awards and  
10 then we -- it's on a reimbursement basis. So they go out  
11 and purchase the vehicles, or whatever they've agreed to,  
12 and then we reimburse them.  
13 MR. MIKE PAQUE: So there's some small equation  
14 for overhead administration in there, I'm assuming.  
15 MS. KATHY AEBISCHER: There is. We haven't  
16 accessed it yet. Right now it's at 100 percent passthrough,  
17 so we're looking into that to help support that program.  
18 MR. STEVE MASON: But is there a potential for  
19 capturing some for administration?  
20 MS. KATHY AEBISCHER: Yes, yes.  
21 MR. TIM MUNSON: Any other questions for Kathy?  
22 (No response.)  
23 MR. TIM MUNSON: All right. Thank you very much.  
24 Did a good job.  
25 We'll move on to Agenda Item Number 10, the Annual

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1 Performance Review of the Executive Director. Among the  
2 statutory duties of the Board are responsibilities to  
3 appoint and set the compensation of the Executive Director  
4 and to assist the DEQ in conducting periodic reviews and  
5 planning activities related to the goals, objectives,  
6 priorities and policies of the DEQ. In connection with  
7 these responsibilities, the Board has determined that it  
8 should conduct a performance review of the Executive  
9 Director. Title 25 of the Oklahoma Statutes, Section  
10 307(B)(1), allows for the Board to go into executive session  
11 to carry out that review.  
12 At this time, I would ask, if it is the preference of  
13 the Board, to go into Executive Session.  
14 MR. DAVID GRIESEL: So moved.  
15 MR. MARK BARTON: Seconded.  
16 MR. TIM MUNSON: Motion and a second.  
17 Can we have a roll call, please?  
18 MS. QUIANA FIELDS: Mr. Barton.  
19 MR. MARK BARTON: Yes.  
20 MS. QUIANA FIELDS: Dr. Ferrell.  
21 DR. SHANNON FERRELL: Yes.  
22 MS. QUIANA FIELDS: Mr. Griesel.  
23 MR. DAVID GRIESEL: Yes.  
24 MS. QUIANA FIELDS: Dr. Hammon.  
25 DR. TRACY HAMMON: Yes.

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1 MS. QUIANA FIELDS: Mr. Hirshey.  
2 MR. KEN HIRSHEY: Yes.  
3 MS. QUIANA FIELDS: Mr. Kinder?  
4 MR. JIMMY KINDER: Yes.  
5 MS. QUIANA FIELDS: Ms. Kunze.  
6 MS. JAN KUNZE: Yes.  
7 MS. QUIANA FIELDS: Mr. Mason.  
8 MR. STEVE MASON: Yes.  
9 MS. QUIANA FIELDS: Mr. Paque.  
10 MR. MIKE PAQUE: Yes.  
11 MS. QUIANA FIELDS: Mr. Sims.  
12 MR. BILLY SIMS: Yes.  
13 MS. QUIANA FIELDS: Mr. Munson.  
14 MR. TIM MUNSON: Yes.  
15 MS. QUIANA FIELDS: Motion passed.  
16 MR. TIM MUNSON: Thank you.  
17 Prior to going into executive session, we need to have  
18 somebody designated to keep the minutes from the session.  
19 Do we have a volunteer? Shannon?  
20 DR. SHANNON FERRELL: I am not it.  
21 MR. TIM MUNSON: You said you're it?  
22 DR. SHANNON FERRELL: I said not it. If  
23 nominated, I will not run. If selected, I will not serve.  
24 (Laughter.)  
25 MR. TIM MUNSON: All right. Shannon, you're

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1 putting a target on yourself.  
2 DR. SHANNON FERRELL: You said I couldn't do  
3 electronically. I can't write, so...  
4 MR. TIM MUNSON: Okay. Do we have anybody that  
5 has the capability to write that would be willing to do it?  
6 MS. JAN KUNZE: I'll do it.  
7 MR. TIM MUNSON: Jan, thank you very much.  
8 All right. So how about we take a brief break and then  
9 we'll be meeting in the room on the right side here in  
10 executive session.  
11 (The Board went into Executive Session at 10:31 a.m.)  
12 (The Board reconvened at 11:30 a.m.)  
13 MR. TIM MUNSON: Could we get everybody back in  
14 their seats so we can finish up here?  
15 Okay. I'd like to reconvene into open session.  
16 Quiana, could we have a roll call?  
17 MS. QUIANA FIELDS: Mr. Barton.  
18 DR. TRACY HAMMON: I move --  
19 MR. DAVID GRIESEL: Second.  
20 MR. TIM MUNSON: Okay. Thank you.  
21 MS. QUIANA FIELDS: Hammon and Griesel.  
22 Mr. Barton.  
23 MR. MARK BARTON: Yes.  
24 MS. QUIANA FIELDS: Dr. Ferrell.  
25 DR. SHANNON FERRELL: Yes.



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1 MS. QUIANA FIELDS: Mr. Griesel.  
2 MR. DAVID GRIESEL: Yes.  
3 MS. QUIANA FIELDS: Dr. Hammon.  
4 DR. TRACY HAMMON: Yes.  
5 MS. QUIANA FIELDS: Mr. Hirshey.  
6 MR. KEN HIRSHEY: Yes.  
7 MS. QUIANA FIELDS: Mr. Kinder?  
8 MR. JIMMY KINDER: Yes.  
9 MS. QUIANA FIELDS: Ms. Kunze.  
10 MS. JAN KUNZE: Yes.  
11 MS. QUIANA FIELDS: Mr. Mason.  
12 MR. STEVE MASON: Yes.  
13 MS. QUIANA FIELDS: Mr. Paque.  
14 MR. MIKE PAQUE: Yes.  
15 MS. QUIANA FIELDS: Mr. Sims.  
16 MR. BILLY SIMS: Yes.  
17 MS. QUIANA FIELDS: Mr. Munson.  
18 MR. TIM MUNSON: Yes.  
19 MS. QUIANA FIELDS: Motion passed.  
20 MR. TIM MUNSON: Thank you.  
21 I'd like to thank everybody for your patience. We had  
22 a very good discussion amongst the board. And I'd like to  
23 just make a general comment in regard to Scott's  
24 performance. The Board is extremely happy with where Scott  
25 is at, the progress he's made. We are very encouraged with

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1 the plans he has going forward and he has our complete and  
2 total support.  
3 And at this time, I would ask are there any comments or  
4 recommendations on the part of the Board?  
5 MR. DAVID GRIESEL: I would like to make a motion  
6 that we increase the salary of the Executive Director,  
7 Scott Thompson, by six percent.  
8 MR. KEN HIRSHEY: I second that.  
9 MR. TIM MUNSON: Okay. We have a motion and a  
10 second. Any comment?  
11 (No response.)  
12 MR. TIM MUNSON: Roll call, please?  
13 MS. QUIANA FIELDS: Mr. Barton.  
14 MR. MARK BARTON: Yes.  
15 MS. QUIANA FIELDS: Dr. Ferrell.  
16 DR. SHANNON FERRELL: Yes.  
17 MS. QUIANA FIELDS: Mr. Griesel.  
18 MR. DAVID GRIESEL: Yes.  
19 MS. QUIANA FIELDS: Dr. Hammon.  
20 DR. TRACY HAMMON: Yes.  
21 MS. QUIANA FIELDS: Mr. Hirshey.  
22 MR. KEN HIRSHEY: Yes.  
23 MS. QUIANA FIELDS: Mr. Kinder?  
24 MR. JIMMY KINDER: Yes.  
25 MS. QUIANA FIELDS: Ms. Kunze.

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1 MS. JAN KUNZE: Yes.  
2 MS. QUIANA FIELDS: Mr. Mason.  
3 MR. STEVE MASON: Yes.  
4 MS. QUIANA FIELDS: Mr. Paque.  
5 MR. MIKE PAQUE: Yes.  
6 MS. QUIANA FIELDS: Mr. Sims.  
7 MR. BILLY SIMS: Yes.  
8 MS. QUIANA FIELDS: Mr. Munson.  
9 MR. TIM MUNSON: Yes.  
10 MS. QUIANA FIELDS: Motion passed.  
11 MR. TIM MUNSON: Thank you.  
12 All right. At this point, is there any new business,  
13 any new matter not known about and which could not have been  
14 reasonably foreseen, prior to the time of the posting of the  
15 agenda, that we need to address?  
16 MR. STEVE MASON: I have some new business. I'd  
17 like to add to Scott's comments about Rita Kottke briefly.  
18 MR. TIM MUNSON: Okay.  
19 MR. STEVE MASON: First of all, she was young to  
20 die. She's my age, so she died very young, too young. And,  
21 you know, as we talk about employees that represent the  
22 agency well, she was it.  
23 DR. SHANNON FERRELL: Here, here.  
24 MR. STEVE MASON: And she was a black belt in  
25 Kung Fu, would wear her costume in the hallways at night to

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1 scare Scott.  
2 (Laughter.)  
3 MR. STEVE MASON: And if you ever dealt with her,  
4 she was very firm but fair and considerate, and we have a  
5 lot of sites in this state that we're reusing now due to  
6 her, like in Sand Springs, in Okmulgee, and the Skirvin  
7 downtown, and just -- she was a heck of an employee, and I  
8 think Scott's comments were right-on about her.  
9 MR. TIM MUNSON: Thank you for sharing that.  
10 Any other new business?  
11 (No response.)  
12 MR. TIM MUNSON: All right. Our next meeting will  
13 be February 15th in Oklahoma City at the DEQ office. I'll  
14 entertain a motion to adjourn.  
15 MR. DAVID GRIESEL: So moved.  
16 MR. MIKE PAQUE: Seconded.  
17 MR. TIM MUNSON: Motion and second.  
18 Roll call, please.  
19 MS. QUIANA FIELDS: Mr. Barton.  
20 MR. MARK BARTON: Yes.  
21 MS. QUIANA FIELDS: Dr. Ferrell.  
22 DR. SHANNON FERRELL: Yes.  
23 MS. QUIANA FIELDS: Mr. Griesel.  
24 MR. DAVID GRIESEL: Yes.  
25 MS. QUIANA FIELDS: Dr. Hammon?

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1 DR. TRACY HAMMON: Yes.  
2 MS. QUIANA FIELDS: Mr. Hirshey.  
3 MR. KEN HIRSHEY: Yes.  
4 MS. QUIANA FIELDS: Mr. Kinder.  
5 MR. JIMMY KINDER: Yes.  
6 MS. QUIANA FIELDS: Ms. Kunze.  
7 MS. JAN KUNZE: Yes.  
8 MS. QUIANA FIELDS: Mr. Mason.  
9 MR. STEVE MASON: Yes.  
10 MS. QUIANA FIELDS: Mr. Paque.  
11 MR. MIKE PAQUE: Yes.  
12 MS. QUIANA FIELDS: Mr. Sims.  
13 MR. BILLY SIMS: Yes.  
14 MS. QUIANA FIELDS: Mr. Munson.  
15 MR. TIM MUNSON: Yes.  
16 MS. QUIANA FIELDS: Motion passed.  
17 MR. TIM MUNSON: Thank you.  
18 Did we have anybody sign up for the public forum?  
19 (No response.)  
20 MR. TIM MUNSON: We didn't have anybody sign up.  
21 So at this point, with no other business to conduct, we are  
22 adjourned.  
23 (Meeting adjourned at 11:35 a.m.)  
24 \* \* \* \* \*  
25

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1 CERTIFICATION  
2 I, Jennifer Payne Kaelin, a Certified Shorthand  
3 Reporter within and for the State of Oklahoma, do hereby  
4 certify that I was present at the Board meeting on  
5 November 9, 2018; that I recorded in stenotype notes all of  
6 said proceedings; and that I thereafter transcribed my notes  
7 so taken and reduced same to typewritten form; and that the  
8 foregoing transcript of proceedings is fully, true, correct  
9 and complete, to the best of my skill and ability.  
10 I further certify that I am not an attorney for  
11 nor relative of any of said parties or otherwise interested  
12 in the outcome or event of said action.  
13  
14 IN WITNESS WHEREOF, I have hereunto set my hand  
15 and affixed my official seal this 20th day of November,  
16 2018.  
17  
18 *Jennifer Payne Kaelin, CSR*  
19 \_\_\_\_\_  
20 Jennifer Payne Kaelin, CSR#1748  
21 Official Court Reporter  
22  
23  
24  
25



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November 9, 2018  
Guthrie, Oklahoma

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Sharon Smith	ODEQ
Sarah Penn	ODEQ
Beverly Bohlet-Smith	ODEQ
Tim Manso	DEQ Board
Mark Barton	DEQ Board
Kathy Aebischer	DEQ
Travis Mearik	DEQ
Richard McDaniel	DEQ
Mike Pergues	DEQ - BD
SHANNON L. FERRELL	EQB
Kelly Dixon	DEQ
Shelie Chard	DEQ
Ellie Terrell	DEQ
Saba Tahmasseli	DEQ
Jimmy W. Kinder	Board
Lawrence Lodes	AQC
Aileen Sprua	DEQ
Rob Singletary	DEQ
Chris Armstrong	DEQ
Scott Thompson	ODEQ
Jody Reinhart	EFO
Bud Ground	EFO
Carly Cordell	SOEE
Jean L. Kunze	EQ
Jennifer Lewis	AG



O K L A H O M A  
DEPARTMENT OF ENVIRONMENTAL QUALITY

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**November 9, 2018**

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Michelle Wynn

DEQ

Ken Hirshey

Cynlogy/EQB

Brian McQuinn

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