

**MINUTES
ENVIRONMENTAL QUALITY BOARD
SEPTEMBER 14, 2021
DEPARTMENT OF ENVIRONMENTAL QUALITY
MULTIPURPOSE ROOM
EQB MEETING**

**Official EQB Approved
On November 9, 2021**

Notice of Public Meeting – The Environmental Quality Board (Board) convened for a Regular Meeting at 10:00 a.m. on September 14, 2021. This meeting was held in accordance with 25 O.S. Section 311, with notice of the meeting given to the Secretary of State on November 4, 2020. The agenda was mailed to interested parties on September 3, 2021 and was posted at the DEQ on September 13, 2021. Dr. Tracy Hammon, Chair, called the meeting to order. Dr. Hammon welcomed new Board member, Richard Auer to the meeting. Also, Dr. Hammon presented a plaque to Mr. Kinder for his service as Chair for the Board. She also, welcomed Secretary Kenneth Wagner to the meeting as well. Ms. Fields called roll and a quorum was confirmed.

MEMBERS PRESENT

Richard Auer
Mark Barton
John Easton
Shannon Ferrell
David Griesel
Tracy Hammon
Ken Hirshey
Alexie Kindrick
Jimmy Kinder
Steve Mason
Tim Munson
Mike Paque
Billy Sims

DEQ STAFF PRESENT

Scott Thompson, Executive Director
Jimmy Givens, Deputy Executive Director
Jennifer Boyle, General Counsel
Rob Singletary, Chief of Staff of the DEQ
Kendal Stegmann, Air Quality Division
Saba Tahmassebi, Engineering Manager
Erin Hatfield, Director of Communications
Skylar McElhane, Office of Continuous Improvement
Michelle Wynn, Legislative Liaison
Lloyd Kirk, Office of External Affairs
Kelly Dixon, Land Protection Division
Jeff Franklin, State Environmental Laboratory Services Division
Mark Hildebrand, Environmental Complaints and Local Services Division
Travis Mensik, Environmental Complaints and Local Services Division
Cody Danielson, State Environmental Laboratory Services Division
Kathy Aebischer, Administrative Services Division
Quiana Fields, Board & Council Secretary
Karen Steele, Water Quality Division
Travis Herrian, Water Quality Division

MEMBERS ABSENT

None

OTHERS PRESENT

Secretary Kenneth Wagner, Office of the Secretary of Energy & Environment
Jennifer Lewis, Office of the Attorney General
Deb Garver, Court Reporter

Approval of Minutes – Mr. Paque moved to approve the Minutes from the February 19, 2021 Regular Meeting. Mr. Kinder made the second.

transcript pages 10 - 12

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Mike Paque	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes
Alexie Kindrick	Yes		

Executive Director’s Report – Mr. Thompson, Executive Director of the DEQ, discussed current agency accomplishments, activities and legislative updates.

transcript pages 12 – 33

Approval of Updated Delegation of Authority Documents – Mr. Thompson delegated Mr. Rob Singletary as Chief of Staff for the DEQ. Hearing no discussion, Mr. Mason moved to approve and Mr. Griesel made the second.

transcript pages 33 - 35

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Mike Paque	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes
Alexie Kindrick	Yes		

Budget Update and Financial Overview (FY 2022) – Ms. Kathy Aebischer, Chief Financial Officer of the DEQ, gave an update on the FY 2022 budget.

transcript pages 35 - 43

DEQ Operational Budget Request (FY 2023) – Ms. Aebischer gave a presentation on the DEQ budget requests. The operational budget request for SFY 2023 must be submitted to OMES by October 1, 2021. Dr. Hammon called for a motion. Mr. Sims moved to approve and Mr. Griesel made the second.

transcript pages 43 - 62

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Mike Paque	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes
Alexie Kindrick	Yes		

Employee Disclosures – Ms. Jennifer Boyle, General Counsel of the DEQ, will include a report in the November packet.

transcript pages 62 - 63

Executive Session-Annual Performance Review of Executive Director – Among the statutory duties of the Board are the 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. Dr. Hammon called for a motion to enter into executive session pursuant to 25 Oklahoma statues Section 307(B)(1). Mr. Kinder moved to approve and Mr. Munson made the second. Mr. Barton was designated as the scribe for executive session.

transcript pages 63 - 65

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Mike Paque	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes
Alexie Kindrick	Yes		

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

transcript pages 65 - 67

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Mike Paque	Yes
David Griesel	Yes	Billy Sims	Yes

Ken Hirshey	Yes	Tracy Hammon	Yes
Alexie Kindrick	Yes		

Dr. Hammon called for a motion on a specific action taken due to the Executive Director’s annual performance review. Mr. Munson made a motion to increase the salary of the DEQ Executive Director by 15 percent. Mr. Griesel made the second.

transcript pages 67 – 69

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Mike Paque	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes
Alexie Kindrick	Yes		

Calendar Year 2022 Board Meeting Dates and Locations – Dr. Hammon opened the floor for discussion regarding the Board meeting CY 2022 dates and locations. Mr. Sims made a motion to approve the 2022 Board meeting dates and locations for Friday, February 18 in Oklahoma City; Tuesday, June 14 in Oklahoma City; Tuesday, September 13 at Quartz Mountain and Tuesday November 8 in Bartlesville or Shawnee. Mr. Paque made the second.

transcript pages 70 - 71

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Mike Paque	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes
Alexie Kindrick	Yes		

New Business – None

Next Meeting – The next regular meeting is scheduled for November 9, 2021.

Adjournment – Dr. Hammon called for a motion to adjourn. Mr. Hirshey moved to adjourn and Mr. Munson made the second. Meeting adjourned at 1:06 p.m.

transcript pages 74 - 75

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Mike Paque	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes
Alexie Kindrick	Yes		

No public forum issues were raised.

The transcript and attendance sheet becomes an official part of these Minutes.

DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA ENVIRONMENTAL QUALITY BOARD
PUBLIC MEETING

SEPTEMBER 14, 2021, at 10 A.M.

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

707 North Robinson
1st Floor, Multi-Purpose Room
Oklahoma City, Oklahoma

* * * * *

REPORTED BY DEBRA GARVER, CSR, RPR

Page 2

1 A P P E A R A N C E S

2 Board Members:

3 Tracy Hammon, Chairperson

4 Richard Auer

5 Perry Barton

6 John Easton

7 Shannon Ferrell

8 David Griesel

9 Jennifer Lewis, Assistant Attorney General

10 Kenneth Hirshey Jr.

11 James Kinder

12 Alexandria Kindrick

13 Steve Mason

14 Tim Munson

15 Mike Paque, Vice Chairperson

16 Billy Sims

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12 P R E S E N T E R S :

13 Kenneth Wagner, Secretary of Energy and Environment

14 Scott Thompson, Executive Director, DEQ

15 Kathy Aebischer, DEQ Chief Financial Officer

16 Jennifer Boyle, DEQ General Counsel

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Page 3

1 P R O C E E D I N G S

2 CHAIR HAMMON: Good morning. The September

3 14th, 2021, regular meeting of the Environmental Quality

4 Board has been called according to the Oklahoma Open

5 Meeting Act Section 311 of Title 25 of the Oklahoma

6 statutes.

7 Notice was filed with the Secretary of State on

8 November 4th, 2020. Agendas were mailed to interested

9 parties on September 3rd, 2021, and were posted at the DEQ

10 on September 13th, 2021.

11 Only matters appearing on the posted agenda may be

12 considered. If this meeting is continued or reconvened,

13 we must announce today the date, time, and place of the

14 continued meeting, and the agenda for such continuation

15 will remain the same as today's agenda.

16 So welcome to the meeting today. It is wonderful to

17 see so many faces in person. I do wish we had had the

18 chance to be at Quartz Mountain today, but given the

19 circumstances, hospital availabilities, the pragmatic

20 decision was to move the meeting to Oklahoma City. So

21 thank you to the staff for making that happen.

22 I would like to do a few housekeeping things. We've

23 been asked that if we speak, to please remove your masks

24 so that the stenographer can hear clearly what you're

25 saying.

Page 4

1 I'd like to welcome our new board member, Richard

2 Auer, to the board meeting today. So a little background

3 on Richard.

4 He is representing the conservation district and is a

5 longtime farmer and rancher in Nowata County where he

6 operates a commercial cow and calf operation. He served

7 as an associate director on the Nowata County, Oklahoma,

8 Conservation District Board of Directors since September

9 2019. He has a BS in finance from the University of

10 Colorado and was appointed to the board just this year.

11 Welcome, Richard. If you'd like to say a few words?

12 MR. AUER: Okay. That pretty well sums it up.

13 We live in Lenapah, which is in Nowata County. Married a

14 farmer's daughter, so I moved to -- I grew up in Tulsa,

15 but now I farm and ranch in Nowata County. My wife is a

16 high school counselor at our local high school.

17 CHAIR HAMMON: Well, we welcome you to the

18 board and look forward to getting to know you better.

19 MR. AUER: Thank you.

20 CHAIR HAMMON: All right. One of the items

21 that we were unable to take care of in our February

22 meeting was the full transition and thank you of Jimmy

23 Kinder for his former role as chair of this board. So I

24 would like to present this plaque to him.

25 I have big shoes to fill for serving as the

Page 5

1 chairperson, but I would like to thank Jimmy for his years

2 of service in this role.

3 (Applause.)

4 CHAIR HAMMON: And as a last item, I'd like to

5 welcome Secretary Kenneth Wagner to the meeting today.

6 He's out in our audience.

7 Secretary Wagner, if you'd like to say a few words,

8 you're welcome to the microphone.

9 SECRETARY WAGNER: Sure. Thank you.

10 Good morning. It is so nice to see everyone in

11 person. And let me first say congratulations and thank

12 you to Jimmy Kinder for his service. You know, he has

13 given selflessly, and I know he's on a federal board and

14 just a great voice for Oklahoma. Thank you for all your

15 service.

16 And thank all of you for all your service. It's

17 really meaningful and important. And on behalf of the

18 governor, we just want to express our gratitude for the

19 service that you give.

20 I know each and every one of you has a lot you could

21 be doing at your normal day jobs -- except Scott, of

22 course. But, thank you. Thank you.

23 And I would like to say I think Rich sells a little

24 bit short on maybe himself and his family. So what he

25 didn't tell you is that his wife, this farmer's daughter

Page 6

1 is also Harvard undergrad and TU law. I've known her for
2 many, many years, and truly one of the smarter people I
3 know and, I would think, to be one of the more qualified
4 high school counselors in Lenapah.

5 He comes from an incredible family, both sides, that
6 have -- just really the fabric of Oklahoma. And I know
7 that when we considered the appointment -- the governor
8 considered the appointment, we thought who better to
9 represent than somebody who farms, understands the state,
10 both agriculture and the importance of water and the
11 environment.

12 So I think he undersold, maybe, himself. And, oh, by
13 the way, his underachieving son is at West Point as a
14 cadet, freshman cadet. So a really, really great family.

15 And, Jennifer, it's great to see you in person. It's
16 been a while.

17 Jennifer supports all of my agencies, essentially,
18 that come up through me. And I hope you guys recognize
19 that we have the best Assistant AG in the group. So,
20 thank you.

21 Well, I would say what a great year it's been
22 considering all the issues that we face as a state. The
23 fact that this agency has been able to hold up and meet
24 those duties that are put on it by the federal government
25 in a way that we can all be proud of.

Page 8

1 predictable and efficient.

2 And that is really what I want to strive for, and
3 so -- and the governor wants to strive for, is these
4 organizations aid commerce. We have a duty to protect the
5 environment. We have a duty to protect our water and
6 protect our citizens.

7 But if we understaff, then you can't get permits
8 done, we impede commerce and the ability for people to
9 make family-sustaining wages and livings to support
10 healthy Oklahomans.

11 So I just want to commend you, and by that I mean the
12 600 employees of DEQ. We really -- from the governor's
13 office really do value. And I think sometimes in the
14 regulatory world we undervalue that because it's, you
15 know, one of those things that's not the sexiest.

16 It's not the most visible, but if it doesn't work
17 correctly, it can quickly become that, and so I just -- I
18 guess the only thing I'd like to do is express gratitude
19 today. So thank you. Thanks for having me.

20 (Applause.)

21 CHAIR HAMMON: Thank you, Secretary Wagner.
22 Appreciate the kind words. It's nice to hear a little
23 bit more about our new board member, Rich.

24 Again reiterate the thanks to Jimmy Kinder.
25 And I failed to mention that Jennifer is here to keep

Page 7

1 The fact that, you know, there was no significant
2 interruption in service during that time, that each
3 division has not only excelled but done it in a way that I
4 think -- you know, I had lunch with the governor last week
5 and he asked about this agency.

6 And I said, you know, "I just think you're one of 50,
7 Governor."

8 And he goes, "What do you mean?"

9 And I said, "Well, how many agencies -- how many
10 governors in the states can you honestly say where the
11 environmental department is its least controversial?"

12 You know, that would be saying something, but by
13 being not controversial, it means you're striking a good
14 balance, because if you're too forward to the industry,
15 that means the environmentalists on the left are
16 complaining about under-enforcement, about over-pollution,
17 those things.

18 If you're overregulating, then you're getting calls
19 that your permits aren't moving, that you're not properly
20 understanding the role of industry and the importance of
21 the economy.

22 And so I think, you know, all the people, the
23 division directors you have, the folks here really strike
24 a great balance of being protective, but yet creating that
25 regulatory scheme that's protective, consistent, and

Page 9

1 me in line today in the first full official meeting that I
2 am chairing and will let me know if I miss key parts of
3 this. So I appreciate that.

4 I started the welcome with saying that I was sad we
5 couldn't be at Quartz Mountain. I'd like to end by saying
6 that Quartz Mountain is a wonderful place. It is a gem in
7 the state of Oklahoma.

8 They have recently gone through and renovated their
9 facility, and I would encourage anyone who's looking for
10 an escape, an overnight somewhere, to really look into
11 that in the meantime. And, hopefully, the board can get
12 back there in the near future.

13 All right. And with that, Quiana, we can do roll
14 call.

15 MS. FIELDS: Mr. Auer.
16 MR. AUER: Here.
17 MS. FIELDS: Mr. Barton.
18 MR. BARTON: Here.
19 MS. FIELDS: Mr. Easton.
20 MR. EASTON: Here.
21 MS. FIELDS: Dr. Ferrell.
22 DR. FERRELL: Here.
23 MS. FIELDS: Mr. Griesel.
24 MR. GRIESEL: Here.
25 MS. FIELDS: Mr. Hirshey.

<p style="text-align: right;">Page 10</p> <p>1 MR. HIRSHEY: Here. 2 MS. FIELDS: Ms. Kindrick. 3 MS. KINDRICK: Here. 4 MS. FIELDS: Mr. Kinder. 5 MR. KINDER: Here. 6 MS. FIELDS: Mr. Mason. 7 MR. MASON: Present. 8 MS. FIELDS: Mr. Munson. 9 MR. MUNSON: Here. 10 MS. FIELDS: Mr. Paque. 11 MR. PAQUE: Here. 12 MS. FIELDS: Mr. Sims. 13 MR. SIMS: Here. 14 MS. FIELDS: Dr. Hammon. 15 CHAIR HAMMON: Here. 16 MS. FIELDS: We have a quorum. 17 CHAIR HAMMON: All right. We'll move on to 18 item 4 of the agenda, which is the approval of the 19 minutes. Hopefully, those of you on the board have had a 20 chance to look through our past minutes. 21 Any questions or comments on the minutes? 22 (No response.) 23 CHAIR HAMMON: Hearing none, do I have a 24 motion? 25 MR. PAQUE: I'll so move.</p>	<p style="text-align: right;">Page 11</p> <p>1 MR. KINDER: Second. 2 CHAIR HAMMON: I have a motion and a second. 3 Quiana, can I get a roll call? 4 MS. FIELDS: Mr. Auer. 5 MR. AUER: Yes. 6 MS. FIELDS: Mr. Barton. 7 MR. BARTON: Yes. 8 MS. FIELDS: Mr. Easton. 9 MR. EASTON: Yes. 10 MS. FIELDS: Dr. Ferrell. 11 DR. FERRELL: Yes. 12 MS. FIELDS: Mr. Griesel. 13 MR. GRIESEL: Yes. 14 MS. FIELDS: Mr. Hirshey. 15 MR. HIRSHEY: Yes. 16 MS. FIELDS: Ms. Kindrick. 17 MS. KINDRICK: Yes. 18 MS. FIELDS: Mr. Kinder. 19 MR. KINDER: Yes. 20 MS. FIELDS: Mr. Mason. 21 MR. MASON: Yes. 22 MS. FIELDS: Mr. Munson. 23 MR. MUNSON: Yes. 24 MS. FIELDS: Mr. Paque. 25 MR. PAQUE: Yes.</p>
<p style="text-align: right;">Page 12</p> <p>1 MS. FIELDS: Mr. Sims. 2 MR. SIMS: Yes. 3 MS. FIELDS: Dr. Hammon. 4 CHAIR HAMMON: Yes. 5 MS. FIELDS: Motion passed. 6 CHAIR HAMMON: Thank you. Minutes are 7 approved. 8 Item 5 on our agenda is the executive director's 9 report. This report may include significant agency 10 accomplishments and activities since the last board 11 meeting. This report is for informational purposes only 12 and no action by the board will be required. 13 Scott Thompson. 14 MR. THOMPSON: Well, thank you. 15 One thing to mention today is -- I don't know if you 16 noticed, but it's been kind of hard to get into the 17 building. Our electric locks are shorted out, basically. 18 The chiller went down, and so we're having that repaired, 19 I guess. Are we renting one currently or something? 20 Yeah. 21 So it's a struggle a little bit to keep an even 22 temperature and humidity in here and that's in part 23 because Oklahoma City cut the ground to our building when 24 they did some work on the water main out there and caused 25 a flood first and then they cut the ground and didn't</p>	<p style="text-align: right;">Page 13</p> <p>1 realize what it was and didn't talk to us about it. 2 So we're in the midst of having that repaired, but 3 that's been, you know, a problem for us and a significant 4 cost to try to deal with some of those issues. So I'm 5 hopeful that we'll have that done pretty soon and we won't 6 have this situation again if we have another meeting here. 7 Now, some of the things that have been going on is we 8 have been reevaluating the Leading The Way project. 9 That's our strategic planning and program prioritization 10 effort. You know, you always have to revisit those. 11 And especially the pandemic, teleworking, in a big 12 way, has caused us to take a different look at that and 13 look at how we can modernize that point as we try to 14 improve our processes. 15 So one of the major things that's occurred is we 16 learned that we could telework with existing technology 17 pretty well for the last year and a half or so. And so 18 we're continuing that with a permanent telework policy 19 where a percentage of our folks can telework to have the 20 appropriate jobs and can do that two to three days a week. 21 And so that's been working quite well. 22 And with the rise in the COVID variant, we've been a 23 little more flexible in that, too, just to try to keep the 24 numbers down, keep the folks who have to be in the 25 building have a little less exposure, so.</p>

Page 14

1 And one of the other, of course, things that's
2 related to that, as part of that, but we're making it kind
3 of a separate effort that we're focusing on, is really a
4 big focus on LEAN. And we've been working with EPA and
5 some national folks on how to do that.
6 We've visited with the State of Arizona at least once
7 or twice because they're way ahead of the game, ahead of
8 everybody in terms of how to do LEAN and incorporate it
9 into environmental agencies. And so that's been very
10 helpful, very beneficial.
11 Misael Cabrera, the director of the Arizona DEQ is a
12 friend of mine and Secretary Wagner's, and he's just
13 great. His staff is very dynamic. So I'm really hopeful
14 that we can continue to improve things.
15 And I believe that the visual management system
16 that's instituted will help younger staff integrate into
17 our workforce better because I think it's just -- it's a
18 very interesting way to manage, and I think the newer
19 folks are going to relate to that a lot better.
20 And so it's going to be a change for some of us older
21 types, but it's going to be well worth it once we get
22 further down the road. And we already have projects
23 ongoing and we're seeing some progress, but we need to
24 move into it in a bigger way. So we're going to keep that
25 going.

Page 16

1 try to make things function a little better, more
2 efficiently.
3 Part of this reorganization, we looked at the Office
4 of Internal Affairs, and it was kind of put together in a
5 way that made some sense at the time, but really I
6 personally wanted to take the pieces that were in that
7 division and make them more focused on their actual
8 mission.
9 And so we pulled them out, we basically dissolved
10 that division and created some offices that are to focus
11 on the three key areas that they should be working in.
12 And I think this will help the folks leading those offices
13 really focus on that mission and make some more progress.
14 Erin Hatfield has been doing a lot of work with our
15 social media. And Representative Fifer the other day, in
16 a hearing or a interim study, pointed out how great he
17 thought it was. And so it's being recognized.
18 Also, that group has gotten some national recognition
19 for the efforts, and so Erin's really done a good job at
20 putting that forward. But I tell everybody that I don't
21 get on social media, so I have plausible deniability about
22 whatever goes on on social media.
23 But the work that Lloyd Kirk has been doing, we
24 created a Office of Business and Regulatory Affairs.
25 Erin's leading the office communications and education

Page 15

1 A while back we implemented a new agency mission and
2 vision statement as part of this process. And so on
3 July 1st, we put those out on the web, on the street, I
4 guess.
5 The mission is to protect and improve public health
6 and our environment. And the vision is to lead the nation
7 in fostering a healthy and sustainable future through
8 effective and innovative environmental actions.
9 So I think those are simpler, more straightforward
10 ways to say that. And that's just one of those things
11 that you got to do every once in a while is revisit those
12 and change the vision statement, update them. But we mean
13 it. That's the way we're trying to actually operate, so I
14 think that's going to be helpful.
15 Recently, we had some reorganization. I think we
16 sent out some notices to folks, but the -- I know we
17 discussed this at the subcommittee meeting of the board,
18 but Rob Singletary has been appointed to the agency chief
19 of staff position.
20 And Jennifer Boyle over there, who -- if you have any
21 hard questions, please direct them to Jennifer. She's our
22 new general counsel. She was our assistant general
23 counsel. And they're both doing a great job.
24 And so, you know, I think that's going to be very
25 helpful as we move on down the road in this agency and we

Page 17

1 and, you know, focusing on the kinds of things we have to
2 put out there, the reports dealing with the media and
3 social media, et cetera.
4 And Lloyd's Office of Business and Regulatory Affairs
5 is focused on business assistance. And especially we get
6 a lot of folks coming in to consider relocating to
7 Oklahoma. And we are almost always on the teams with
8 Connors and Lloyd as a big part of that, as well as that
9 we will hold special meetings for folks and pull in
10 everybody who might have anything to do with permitting a
11 facility or an enforcement issue on a facility.
12 And we walk them through our process as to what might
13 apply to them, or if there's ways to avoid needing a
14 permit in a certain area, if they will structure their
15 business operation or their facility in a certain way,
16 then they don't really need our permit. And that usually
17 works out well for everybody.
18 And so some of the projects have come into Oklahoma,
19 some of the businesses have located here; like Sofidel, a
20 big paper plant near Tulsa. I think it's in Inola. You
21 know, Lloyd did a lot of work on that back and forth with
22 the company and their consultants and our staff trying to
23 make sure that we put our best foot forward and we explain
24 the process, and where maybe their consultant didn't
25 really understand things, help walk them through the

Page 18

1 process. And so that was, I think, very important landing
2 that facility.
3 And CMC, down in Durant, was also one of those
4 facilities, but there are dozens of these come in. Of
5 course, since Tesla took a look at us in Tulsa, we've
6 generated a lot more interest in the state of Oklahoma.
7 So commerce is fielding a lot of that and does a great
8 job.
9 Lloyd does a great job working with them and the
10 businesses to try to make stuff happen. So I think in the
11 last year he's helped with 44 of those companies looking
12 into maybe coming to Oklahoma.
13 And, of course, some of them are shopping us to get a
14 better deal where they're actually going to go, but that's
15 just sort of how it is. But if we land a significant
16 percentage of them, even a few of the right size ones -- I
17 think we had an electric vehicle company locate here
18 recently, or announced that they were going to. And we
19 had Kratom, the drum folks.
20 We don't always get in the media when that happens
21 about our role, but definitely the bigger companies want
22 to know how the environmental regulatory role works.
23 And they all want to be green and be able to get
24 credit for being green because they have to advertise
25 themselves that way to their investors and, you know, to

Page 20

1 everybody pitch in with Erin and try to figure out how to
2 do it for the entire agency. So this is for the agency
3 based on the standard telework policy of two to three days
4 per week.
5 And the actual miles driven, I think, are calculated
6 from actual miles the staff would drive on a normal day
7 from their home to the office or wherever the workplace
8 is. And so it's a pretty good amount of savings gas-wise.
9 But you can look down lower and you'll see the
10 emissions saved yearly, the pounds per year; like a
11 million pounds of CO2, for example. And then we're going
12 to promote that.
13 And I've mentioned this and showed this at some
14 national meetings online and several states kind of got
15 real excited about it and want to do it. And I think a
16 lot of the private sector -- as I mentioned, some of the
17 bigger companies, they want to be green, they want to
18 count everything they can and brag about stuff that
19 they're doing, and so they are doing some teleworking.
20 And, especially, if you can tie this to ozone alert
21 days or bad air quality days, that's where air started
22 going with this, is that we can also help these companies
23 get credit for, you know, the energy they're saving, the
24 emissions that they're saving, and just use that as a
25 promotional tool to help encourage folks to do a lot less

Page 19

1 promote their business. So we get a lot of positive
2 comments on that.
3 And then Skylar McElhane is heading up the Office of
4 Continuous Improvement, which is primarily focusing on
5 some of that leading the way effort, but really LEAN --
6 trying to go full tilt into the LEAN projects and to help
7 our staff wrap their heads around and get training,
8 et cetera.
9 And so I think that is -- you know, we slowed down a
10 little bit because we had to figure out how to deal -- we
11 all thought we were going to be out a few months at most
12 and then be back at work and then we'd pick up where we
13 stopped on some things and LEAN kind of got left behind.
14 But that's one thing Arizona's gone from physical
15 visual management things in the office to a completely
16 virtual system, so that's part of what we're studying with
17 them is to how to do that and be more efficient there.
18 And so if we have to have folks out of the office, we can
19 still keep in touch and manage that way.
20 So in our telework policy, you may notice -- there's
21 one of the handouts, this one right here -- that Erin came
22 up with wanting to calculate emission savings and energy
23 savings from our teleworking efforts. And they did it for
24 their division first.
25 And so that was just a great idea, and so we had

Page 21

1 on those bad air days so that we can keep our cities in
2 attainment.
3 And then so we have about 300 folks doing that
4 currently, and we'll see how that goes. That's probably
5 going to be a pretty standard thing from now on,
6 especially if our parking garage does not get fixed.
7 So, you know, the COVID impact and response has been
8 extreme, like they have been for everybody and, thus,
9 that's why we're still looking at teleworking, et cetera.
10 The custodial staff continues to sanitize surfaces,
11 et cetera.
12 We're doing a lot of work with Teams and Zoom and
13 other virtual ways to operate, which, if it hadn't been
14 for the pandemic, we would have still been talking about
15 trying to spend money on IT projects to figure out how to
16 create the perfect tool to do any of this stuff.
17 So we had to just start working with what was out
18 there, and there was actually more tools available than I
19 would have dreamed. It was a lot cheaper to do it this
20 way than to try to get IT projects built on our own or
21 built by the state. So we're continuing to monitor all
22 that.
23 We have staff voluntarily report vaccination status
24 if they choose, and I think we're up to about 85 percent
25 of the staff had been vaccinated the last time we did a

<p style="text-align: right;">Page 22</p> <p>1 survey, which was a few weeks ago. 2 So there's also a handout on a kind of thicker 3 cardboard, kind of printout of our water loss and water 4 audit leak detection program. So that's a partnership 5 between us and Oklahoma Rural Water Association. 6 The Water Resources Board helped some with the 7 mapping of systems and putting them into a GIS format, so 8 they have better maps and our folks in rural water have 9 better maps, so that they can go in and identify where to 10 maybe put some meters, certain places you can figure out 11 where the actual losses are occurring, how many losses are 12 occurring, what they believe they're producing. 13 And this has resulted in -- we've only done maybe 14 10 percent of the systems in the state of Oklahoma, a 15 little more than 10 percent, but there's about 13-, 1400 16 systems in Oklahoma. 17 And so for those small systems in particular, this is 18 saving significant amounts of money for them. And some of 19 these systems save hundreds of thousands of dollars a 20 year, and that is money that would be lost every year if 21 we didn't identify and correct these. 22 And there's a couple different kinds of loss. 23 There's apparent loss and there's real loss and -- you 24 know, you can look at the numbers. And then on the back, 25 the thing that's really helpful with capital.</p>	<p style="text-align: right;">Page 23</p> <p>1 And we, estimating on our own, were -- believed we 2 had about \$3 to \$5 return on investment, and that was very 3 popular. In fact, the legislature and governor gave us an 4 extra million this year and a half a million the year 5 before, and so -- that we weren't really asking for. 6 But I think Rural Water went around, kind of showed 7 them how good this was working and helping some of the 8 folks in their districts, and it's gotten very, very 9 popular. And so it's going very well. 10 But, you know, next year will be -- by 2023, we'll be 11 about \$12, almost \$13 in return on investment on this 12 program. That's rare for an environment agency to be able 13 to brag about much of a return on investment we can show. 14 Now, we did a similar thing on a Brownfields program 15 several years back. These studies were done by the 16 Department of Commerce, and it was very inexpensive for us 17 to hire the Department of Commerce to do this, but they're 18 looking at this and the numbers are pretty real. 19 They're not just prospective numbers like they would 20 normally do about some new company coming in and bringing 21 this many jobs and how much of that would circulate on the 22 economy. This is a retrospective on our programs, and so 23 they're pretty accurate numbers. But that's been 24 valuable. 25 And I've also shared this, some of the national</p>
<p style="text-align: right;">Page 24</p> <p>1 stuff, and Arizona is already copying some of our programs 2 and I expect a number of other folks, too, as well. I've 3 told them that I've never had better response when we go 4 talk to the capital about money that gets this return on 5 investment as opposed to just asking for money that, as 6 far as they can tell, just gets spent and they can't tell 7 what good it does. So that's just been great. 8 And, you know, it frees up -- some of these systems 9 don't need a new water source that they thought they did 10 because they're producing more water than they actually 11 use. Either they're not metering it or they're actually 12 losing it through leaks. 13 So the ones that have been able to address that, 14 we're saving in the neighborhood for rural water loss 15 about almost eight billion gallons of water a year, and so 16 it's a very significant program. 17 And then one of the guys that works with rural water 18 is an ex-Honeywell engineer, and he calculated if you 19 didn't have to treat all this water that was being wasted, 20 you're not having to run a power plant to meet that 21 demand, what's the CO2 emission and other emissions you 22 might be saving. And so his estimate for that, based on 23 these savings, would be about 24,000 pounds a year of CO2. 24 So that's good. 25 And I think the secretary and the rural water are</p>	<p style="text-align: right;">Page 25</p> <p>1 cooking up some stuff to do some more energy efficiency 2 work on our water systems throughout Oklahoma, and I think 3 that's going to be very beneficial to everybody. 4 MR. MASON: Scott, Steve Mason, I have a 5 question. So we find this 21 percent of rural water 6 losses, do we fund fixing those water losses? 7 MR. THOMPSON: We don't directly for the most 8 part. Now, there may be some of the newer money that's 9 showing up that could, but the systems are responsible 10 for fixing that. 11 Whether rural water has some money, now, if you -- we 12 may fund it through DWSRF money, or USDA has some money 13 that could be used to fund these things. And so it's 14 possible if it hits right, you know, it could go through a 15 regular program and get funded and -- but if it's like a 16 significant leak right now, I think usually the systems 17 are going out and just fixing that themselves or rural 18 water is helping them get their -- you know, fix the pipe 19 right now. 20 And then some of it's replacing meters that are 21 failing and not actually recording the true amount of 22 water. So in this case, we have apparent loss from bad 23 metering. 24 If you fix that, some of your constituents' bills go 25 up because you're actually measuring how much water</p>

Page 26

1 they're using, but you're actually receiving funding for
 2 the water that you're having to spend money to produce as
 3 opposed to just doing it and not being -- no fees for it
 4 and not supporting the system and the infrastructure.
 5 So one of the other things rural water does as part
 6 of this is they teach some of these guys how to run a
 7 sustainable business.
 8 And that's very valuable aspect of this because, you
 9 know, you got in some cases volunteers on these boards
 10 and/or a small number of staff and they're focused on
 11 immediate issues they have and trying to get that 20 grand
 12 they need to fix this part or replace this thing or
 13 something.
 14 And these guys are helping them look at the reality
 15 of the long term and how much money they need to protect
 16 the money from the water fees and trying to keep them from
 17 being siphoned off for quality of something, and to set
 18 their fees and slowly ramp up to where their rates ought
 19 to be in order to actually support the system and the
 20 programs so they can continue to maintain it and make
 21 improvements as the rules at the federal level change and
 22 we all have to try to implement those.
 23 So I think that part is just great. I've seen some
 24 of those classes. Some of our folks help teach those
 25 classes and some of the rural water folks do, and it's

Page 28

1 everybody. And so they started sampling campus dorms and
 2 variation locations in Norman and -- the City of Norman
 3 Wastewater Treatment Plant last spring -- actually, spring
 4 of 2020.
 5 And so they expanded -- this has been expanded to
 6 include Anadarko and Oklahoma City in the summer of 2020.
 7 And so the clinical data is collected by OU Health is
 8 compared to the wastewater, and so OU's contributing to
 9 that. DEQ participates in some of the briefings and works
 10 with them.
 11 And then in addition to that, there's new technology
 12 that we're working with this project with Department of
 13 Corrections on. And CDC, I think, is granting this stuff.
 14 And as opposed to taking two to three days turnaround,
 15 these kits -- or the sampling device will give us answers
 16 in three hours.
 17 So Secretary Wagner signed an agreement and -- with
 18 the Secretary of Public Safety to set up five of the
 19 Department of Corrections facilities to use this equipment
 20 and conduct the monitoring, and then DEQ provides
 21 technical assistance to the operators at these facilities.
 22 And I believe at the end of this they get to keep the
 23 equipment, and so that's going to be a benefit, but it's
 24 also we're on the front edge. There's only, I think, two
 25 other states that are in this program, this pilot program.

Page 27

1 really, really good stuff.
 2 So one of the other things we're doing -- oh, the
 3 bottom line in terms of the value of sales in the economy
 4 that the Department of Commerce estimated for that program
 5 will an increase an average of 16.7 million per year
 6 through 2025 gross domestic product, so the total value or
 7 the total value of sales to the economy is about
 8 30 million a year. So that's good stuff.
 9 Now, the short report as well as the full report that
 10 commerce did are available on our website or we can get
 11 you guys a copy if you want one.
 12 One of the things that we've done this last year is
 13 we've been working with the Department of Corrections and
 14 the CDC along with the Water Department Federation to test
 15 new virus monitoring technology.
 16 See if I have the right page there, but -- yeah.
 17 And so CDC has this program, National Wastewater
 18 Surveillance System, which has been begun a while back to
 19 collect data from wastewater systems and compare with
 20 clinical data. And that's given about a five- to
 21 seven-day lead time for communities experiencing clinical
 22 COVID-19 case increases.
 23 There's about 485 municipalities monitoring
 24 wastewater and -- according to the data. And OU has a
 25 team that's working on some of this stuff with us and

Page 29

1 So the five facilities that are part of this are the
 2 Mack Alford Correctional Center, Jim Hamilton Correctional
 3 Center, John Lilley Correctional Center, Dick Connor
 4 Correctional Center, and Howard McLeod Correctional
 5 Center.
 6 And so we're the first one to get on the ground and
 7 get going. Virginia is about to start this month, and
 8 then California is scheduled to start in mid October.
 9 So, currently, 26 viruses can be measured with this.
 10 And so, of course, EPA is going to try to start creating
 11 water quality standards and virus discharge permit
 12 standards, which is a little earlier for that, but we'll
 13 see where that goes.
 14 And so, you know, we'll be able to help our folks get
 15 going with this and have a head start as this goes
 16 national, I believe, and gets refined, et cetera. So I
 17 think that's a good deal.
 18 One of the major things that's happened in the last
 19 year -- we've been dealing with it a few years, but it's
 20 really kind of gone crazy, and I know some of you have
 21 witnessed some of this and experienced it -- that medical
 22 marijuana use has blown up.
 23 And there's a real danger they could blow up because
 24 people are using unscented natural gas to process some of
 25 this stuff, and the LP Gas Commission is really interested

<p style="text-align: right;">Page 30</p> <p>1 in that. They're trying to get ahold and identify all 2 these players that may be doing that to make sure that 3 they're following appropriate protocols, because some of 4 them aren't and it could present a real safety hazard. 5 So, you know, we've been talking with the captain 6 under Secretary Wagner about the issues we're all seeing, 7 and the new OQMA director, I think, is going to be very 8 helpful. We've known her for a number of years. Several 9 of my folks know her pretty well. 10 So we're going to coordinate with them more closely 11 and try to resolve this, but we've dealt with dozens and 12 dozens of complaints, primarily on the grow facilities, 13 about wastewater discharges, surfacing sewage, all kinds 14 of crazy things, stories about, you know, basically armed 15 compounds. 16 And some of my folks are ornery enough that they just 17 stay there and force them to bring somebody out to speak 18 English to them and try to deal with the issue even though 19 we've advised our staff to be safe. And so they've run 20 into just all kinds of oddball situations and it's really 21 taken up a significant amount of staff time. 22 There's been a lull lately. Once the Bureau of 23 Narcotics started doing the raids, there seems to be a 24 little bit of a lull in the complaints that we've been 25 receiving and we're not certain why.</p>	<p style="text-align: right;">Page 31</p> <p>1 Some of those were coming from OQMA, and maybe they 2 have quit sending some of those to us or something, I'm 3 not quite sure. But there's a lot of work to do. 4 Jennifer is well-versed in all this and worked with a 5 representative on the food safety board over there trying 6 to resolve this, but I think we'll get a lot better rules 7 and relationships and efforts. 8 There was a report in Lincoln County, a local 9 publication, that stated that DEQ led a raid with the 10 district attorney on one of these facilities. And what 11 happened was our guy, Vance Pennington, was asked to go 12 along to help them figure out what to do with stuff 13 afterwards; you know, properly manage or dispose or 14 whatever. 15 And Vance is also one of our reserve police officers 16 so he didn't feel too uncomfortable doing it. And, 17 really, so he was just there for after the fact and the 18 sheriff's office had asked him to go, but the media 19 reported it as though we led the raids. So we tried to 20 make sure people understood that, no, we're not going out 21 and raiding facilities. 22 We are showing up and trying to address, you know, 23 where they're breaking the dikes on their sewage lagoon 24 and letting it drain out because they want to fill it and 25 build a new grow house on it because thirty is not enough</p>
<p style="text-align: right;">Page 32</p> <p>1 or forty is not enough or whatever. 2 So we're stopping them from doing that and making 3 them repair it when we can, but -- so, you know, I told 4 some folks that if this continues, that we may have to 5 seek some funding to cover those costs because it's kind 6 of outside our normal everyday stuff. And, hopefully, 7 we'll get more coordination with everybody involved in 8 this. 9 Also, the week of September 20th through 25th is 10 Septic Smart Week. It's an outreach program promoted by 11 EPA and supported by various partners to raise awareness 12 and educate folks about on-site septic systems. 13 And so we are going to promote that through a series 14 of posts on social media, and we will highlight a 15 partnership we have with the Grand Lake Watershed folks 16 about the importance of maintaining and caring for on-site 17 septic systems. 18 So if you have any questions about that, Mark 19 Hildebrand is here and you can grab him. 20 So, last, we have the most recent employees of the 21 quarter and the year that we wanted to let you guys know 22 about. 23 Malcolm Zachariah in Air Quality has done a lot of 24 good things and he was the employee of the quarter, but 25 he's also the employee of the year this last year. So his</p>	<p style="text-align: right;">Page 33</p> <p>1 peers recognized him, and that's really good. This is 2 mostly a peer-driven program. 3 Tony Payne in Air Quality also was an employee of the 4 quarter. Michelle Woods, land protection, and Patrick 5 Harjo in the state laboratory. 6 If we weren't having to socially distance and all 7 that, we'd try to have those folks here, but we'll try to 8 do that some other way sometime somehow because we like to 9 bring in the staff and let them, you know, be recognized 10 personally. But we'll let them know that they were 11 mentioned. 12 So are there any questions? 13 CHAIR HAMMON: Questions from the board? 14 From the room? 15 (No response.) 16 CHAIR HAMMON: I'm always entertained by how 17 much variety your staff works on. It really runs the 18 gamut, A to Z, there. 19 Congrats to Rob and Jennifer on your new roles. We 20 look forward to working with you in those regards. 21 And congratulations to Malcolm, Tony, Michelle, and 22 Patrick for employees of the quarter. 23 MR. THOMPSON: Thank you. 24 Going on to item 6? 25 CHAIR HAMMON: Item 6, approval of updated</p>

Page 34

1 delegation and authority documents.
 2 MR. THOMPSON: You have also setting at your
 3 place there a document. Because Rob is the first ever
 4 chief of staff for the DEQ, we had to revisit how we do
 5 delegation in case I get hit by a car or whatever, or I'm
 6 out sick or something, or Jimmy gets hit by a car, like
 7 if we're on a trip together.
 8 So we have to bring that before the board, and I
 9 don't know that we actually need a vote, but if anybody
 10 has any objections to it or questions about it, we can
 11 discuss it.
 12 Is that correct? We don't need to actually vote?
 13 MR. ROB SINGLETARY: I think you need approval.
 14 MR. MASON: Mason moves approval.
 15 MR. GRIESEL: Second.
 16 CHAIR HAMMON: I have a motion and a second.
 17 Quiana, we need a roll call.
 18 MS. FIELDS: Mr. Auer.
 19 MR. AUER: Yes.
 20 MS. FIELDS: Mr. Barton.
 21 MR. BARTON: Yes.
 22 MS. FIELDS: Mr. Easton.
 23 MR. EASTON: Here.
 24 MS. FIELDS: Dr. Ferrell.
 25 DR. FERRELL: Yes.

Page 36

1 Madame Chairman, members of the board. Kathy Aebischer,
 2 chief financial Officer for DEQ.
 3 For those of the board that's new, this is the time
 4 of year that we really go in depth regarding our budget,
 5 the effects of the legislative session on general
 6 appropriations, and looking at each division's budget and
 7 kind of going through that. And then we'll look at the
 8 budget status as of July 31st.
 9 So the impact on DEQ's FY 2022 appropriations, Scott
 10 kind of alluded to this. We did very well this past
 11 legislative session. We got an increase of 25.57 percent,
 12 a total increase of 1.8 million. So our total state
 13 appropriation is just over 9 million.
 14 To go into the details of the increase, we had a
 15 total of nine FTEs that were funded through the
 16 appropriation that you approved our request last year and
 17 the legislators provided us.
 18 We also got a million dollars to support the
 19 partnership with the Rural Water Association that Scott
 20 talked about, the water loss program, that we did not
 21 request, but they felt that it was a worthwhile program so
 22 they added additional million dollars for the total of
 23 \$1.8 million.
 24 So if we look at our total budget compared to last
 25 year, this is all funding sources, we actually had a

Page 35

1 MS. FIELDS: Mr. Griesel.
 2 MR. GRIESEL: Yes.
 3 MS. FIELDS: Mr. Hirshey.
 4 MR. HIRSHEY: Yes.
 5 MS. FIELDS: Ms. Kindrick.
 6 MS. KINDRICK: Yes.
 7 MS. FIELDS: Mr. Kinder.
 8 MR. KINDER: Yes.
 9 MS. FIELDS: Mr. Mason.
 10 MR. MASON: Yes.
 11 MS. FIELDS: Mr. Munson.
 12 MR. MUNSON: Yes.
 13 MS. FIELDS: Mr. Paque.
 14 MR. PAQUE: Yes.
 15 MS. FIELDS: Mr. Sims.
 16 MR. SIMS: Yes.
 17 MS. FIELDS: Dr. Hammon.
 18 CHAIR HAMMON: Yes.
 19 MS. FIELDS: Motion passed.
 20 CHAIR HAMMON: All right. Thank you.
 21 Moving to agenda item number 7, a budget update and
 22 financial overview.
 23 Kathy, the floor is yours.
 24 (Off record briefly.)
 25 MS. AEBISCHER: Well, good morning,

Page 37

1 decrease of just a little of 1 percent. And that's mainly
 2 due to federal grants. We're just not projecting that --
 3 the same expenditures this year as last year. Nothing to
 4 be concerned with. Most of that is projects and just
 5 where they lie this year.
 6 We do have a slight -- you'll see the increase of
 7 26 percent for general appropriations. Revolving fund, a
 8 decrease of about 2 million, and that's just mainly less
 9 carryover. And then there's a couple divisions that are
 10 projecting lower revenues this year.
 11 Okay. So now I'm going to go through each division
 12 so that we can talk about what each division's budget is
 13 made of.
 14 We'll start with Air. Air Quality revenue
 15 projections are expected to be about 448,000 less when
 16 compared to FY '21. The majority of that is Title V
 17 operating fees and nonTitle V application fees.
 18 If we look at Air Quality, all of their funding
 19 sources, revolving funds were projected to be
 20 12.8 million. We have a reserve from FY '21, about
 21 349,000.
 22 Federal grants are projected to be 3.3 million. The
 23 Volkswagen settlement, we're projected to expend a little
 24 over 4 million. And then some penalty funds of just under
 25 4,000.

Page 38

1 So total funds for Air Quality, 20,559,000. Their
2 budget will be 16-million-five. We have a million dollars
3 that's supporting public water supply and the lab, and
4 then ECLS Air projects of 384, the lab Air projects of
5 approximately 178,000, and then indirect costs of 2.4.
6 So if we can compare Air Quality's budget with last
7 fiscal year, it's a 10 percent decrease. And most of that
8 is a reduction of projected expenditures in the federal
9 programs, so it's more of a pass-through.
10 We do have a small increase in the salaries and
11 compensation. And they just delayed filling two
12 positions, so that's part of that decrease. And then, you
13 know, last fiscal year we spent a lot on laptops to have
14 more employees be able to telework so we're not having to
15 spend as much this year. So that's the decrease on that
16 line item.
17 So we looked at land. Land is also projecting less
18 revenue this year, about 165,000; 50,000 in state
19 agreement fees, 20,000 in tire recycling reimbursements,
20 and then another 50,000 in haz waste penalties. Nothing
21 major to be concerned about.
22 Actually, we're kind of surprised revenues have been
23 holding pretty well for each division, you know, due to
24 COVID and things that are going on. So a total decrease
25 of 165,000 is projected.

Page 40

1 1.2 million. Total funds available is 20,000,600.
2 So Water's budget will be 16,000,485. ECLS water
3 projects of 1.3. The lab water projects 357,000. And
4 then ASD water projects of almost 25,000. And then
5 indirect costs of 2.5.
6 If we compare the total budget all funding sources
7 compared to last year, Water Quality's budget increased
8 about 10 percent. The majority of that is the increase in
9 state appropriations, is where the increase of Water's
10 budget. The majority of that is in professional services
11 due to more funds going to rural water, so that's the
12 increase there.
13 And then a small decrease in the salaries. We're
14 having a lot of people retire at higher salaries with
15 entry level coming in, so that's kind of the decrease
16 there.
17 So if we look at environmental complaints and local
18 services, they are actually projecting an increase in fees
19 of about 300,000. And this is supported -- last fiscal
20 year they actually received more than projected, so
21 they're doing pretty well, about the only division that
22 has an increase in fees.
23 Environmental Complaints and Local Services, their
24 total budget with all funding sources, they have
25 2.7 million in revolving funds, 1.2 million in federal

Page 39

1 If we look at lands, all of their funding sources, we
2 have revolving about 13 million, federal funds about
3 15 million. We have the Central Interstate Radioactive
4 Waste Commission that pays us 5,000. And penalty funds,
5 4500, reserve about 400,000. Total funds available of
6 28,772,000.
7 So Land's budget for FY '22 is 25,511,188. ECLS Land
8 projects of 870,000, and the lab Land project of 530,000.
9 With indirect costs, 1.8 is what makes up the total amount
10 available.
11 If we look at Land's budget compared to last year,
12 it's actually an increase of 5 percent. We're expecting
13 more projects in the professional services, just kind of
14 is where their projects are at this year, with a decrease
15 of projects with local government and nonprofit.
16 And travel expenses with a lot of the divisions, a
17 projected decrease just due to more virtual options
18 available than them having to travel in person.
19 So if we look at Water Quality, they're also
20 projecting a small decrease of 72,500. The majority of
21 that is in storm water fees of a hundred thousand.
22 So Water Quality Division, all of their funding
23 sources, revolving funds, fees of 8.7 million; federal
24 grants, 8 million; state appropriations of 2.6 million;
25 penalties, just 5600; and reserves from FY '21 of

Page 41

1 funds, a reserve from 2021 about 94,000, penalty funds of
2 104. And then the other divisions that the work they're
3 doing for them and then state appropriations of 3.2.
4 Total funds that are available is just over 10 million.
5 ECLS's budget is 8.3 with 1.7 million for indirect
6 costs. If we compare ECLS's total budget to last year, a
7 small -- very small increase. An increase in salaries
8 because of an additional position that was funded with
9 state appropriations.
10 Professional services is -- they have an IT
11 monitorization project that we hope to really get going
12 this year, so that's where the increase in that is.
13 Decrease in administrative expenses, ECLS has closed
14 two offices, combined it with another to have some cost
15 savings. It's not going to impact services in the area.
16 They just evaluate every year of where the work's at and
17 make sure as -- each year that they're providing the
18 services and where they're needed. And if we can save
19 some money, then we try to do that.
20 So the state Environmental Lab Services, they're
21 projecting about 14,000 decrease in revenues this year.
22 If we look at the lab and all the funding sources,
23 revolving funds are projected to be just over 2 million,
24 federal grants of 871,000, state appropriations of 2.5.
25 And then the work that they're doing for other

Page 42

1 divisions and penalties of about 84,000, and then special
2 reserve from FY '21 of 1.4 for total funds of 8.9 million.
3 The lab's budget is 7.6 million with indirect costs
4 of 1.3. The lab's budget is about 4 percent less than
5 compared to last year. The majority of that is we
6 received additional appropriations specifically for lab
7 equipment. And the majority of that was spent last year.
8 We have a small amount carrying over this year. So that's
9 the main difference of where the decrease is coming from.
10 And the last division, Administrative Services and
11 IT, the division funds for indirect costs total
12 10 million, and we received a small amount for accounting
13 services provided to the secretary of 20,000. Rent and
14 just small fees with federal awards of about 200,000,
15 penalty fees about 500,000, reserve from last fiscal year
16 of 4 million, with a total funds of 15 million.
17 The proposed budget for ASD is just over 15 million.
18 Penalties that go to over divisions of 220,000. And then
19 indirect costs off the federal grants that ASD receives is
20 about 8,000.
21 So if we compare the budget with last year, we have
22 about a 6 percent decrease for ASD. The majority of that
23 is in professional services. We decreased the amount
24 of -- that will go to parking garage. Hopefully, we can
25 pick that up next year. But that's where a lot of that

Page 44

1 will need to vote on this.
2 So ECLS would like to request 295,297 for three
3 additional field environmental specialist positions. If
4 you remember, in 2017, they got cut a pretty significant
5 amount of positions. We did receive funding for one on
6 this year, and they're requesting that we ask for three
7 additional.
8 So these positions would help us cover the public
9 water supply, wastewater supply treatment plants, and the
10 solid waste facilities. They reduced their inspections
11 from quarterly to annual because of the reduced positions,
12 and they reduced oversight on the on-site septic system
13 program. So the funding for these additional positions
14 would allow ECLS to improve customer service and technical
15 assistance in these areas.
16 MR. SIMS: Do we vote on these individually?
17 MS. AEBISCHER: No, you'll vote on it in total.
18 So the lab would like to request \$96,017 for one FTE
19 in the heavy metals section of the laboratory. This
20 position is needed to support the Safe Water Drinking Act
21 and lead testing in schools and childcare drinking water
22 program and the revised lead and copper rule.
23 These programs help protect small, underserved, and
24 disadvantaged communities. The programs will result in a
25 large increase in the sampling workload and will require

Page 43

1 comes in professional services, with a total budget of
2 15 million and a decrease of about 931,000.
3 Any questions before I go to the budget status
4 report?
5 (No response.)
6 MS. AEBISCHER: Okay. So this is the first
7 month. We're actually looking pretty good. The only
8 division that's just a little bit behind is the lab of
9 about 29,000 of what we're projecting. Not a big
10 concern. It's just the first month.
11 But the other divisions are doing very well. We're
12 ahead of schedule. 6.1 percent of total projected fees
13 have been collected in just one month compared to 4.8 of
14 last year, so about 500,000 more.
15 And if we look at the expenditures for a month, we've
16 expended a total of 2.5. A majority of that is salaries
17 and then administrative expenses. So one month, but
18 everything is going really well. Don't have any concerns.
19 If we look at the funding sources, the majority of
20 funds that have been spent is out of revolving fund of
21 1.7, and then our federal funds, almost 500,000.
22 Any questions on those?
23 (No response.)
24 MS. AEBISCHER: I'm now going to propose what
25 we would like to request for FY 2023 budget. And you

Page 45

1 very aggressive reporting turnaround times. So due to
2 these increased responsibilities, they're needing an
3 additional person in this area.
4 The lab is also requesting one additional FTE to
5 support the data management program. It plays a vital
6 role in the accuracy and effectiveness of the work product
7 and operations of the lab.
8 This program manages compliance schedules and data
9 exports for 1700 public water supply systems and the
10 certification records of 180 labs who participate in the
11 lab accreditation program and utilizes -- is utilized to
12 manage a myriad of laboratory and administrative
13 processes.
14 The enhancement of this program, if it were funded,
15 will result in improved quality management system, more
16 timely response to customers, more robust inventory
17 management, and the ability to incorporate new and
18 emerging contaminant technologies.
19 Also allow the development of a new laboratory
20 accreditation database to be used by the laboratory
21 accreditation program, and it will replace the legacy
22 database that's currently being used.
23 Also, we would like to request 20 million for the new
24 parking garage. If you remember, we've been dealing with
25 this every year. When we got close to building it, the

Page 46

1 estimate was 13 million. With the current environment,
2 it's estimated to now cost us 20 million today. So that's
3 the reason for the 20 million.
4 As you're aware, DEQ owns the building and the
5 parking garage and we're responsible for the maintenance
6 of these facilities. Due to the legislative sweeps in the
7 past totaling 33 million, which would have been used to
8 maintain our facilities, we do not have the funds to
9 replace the deteriorating parking garage.
10 So as of today, the parking garage has 324 spaces.
11 We've had to disclose 123 of them. That's 38 percent. We
12 have an engineer who comes in quarterly that does an
13 inspection to make sure our employees are safe. And as a
14 result of every visit, she ends up closing a few more
15 parking spaces. We have closed the very top sixth floor
16 and then additional spaces on every floor.
17 The issue with the parking garage is we have falling
18 concrete. We have a few punch-through holes. And so
19 we've had to locate additional parking where available in
20 surrounding areas.
21 There's not enough available space for all the
22 employees, so this has caused additional cost. This
23 request is urgent. I don't know if any of y'all have
24 visited our parking garage, but it looks pretty bad. And,
25 as I said, there's very few options for us to find parking

Page 48

1 So I have a summary slide.
2 Okay. So the lab requests a total of three positions
3 at a total cost of \$288,050. ECLS requests an additional
4 three positions for 295,297. So our ongoing request would
5 be 583,347 with a one-time request for the parking garage
6 of 20 million.
7 So our FY 2023 request would be a total of
8 \$20,583,347. So our total FY '22-'23 appropriation, if
9 approved, would be \$29,610,693.
10 Do we have any questions or clarifications?
11 CHAIR HAMMON: Would you mind coming to the
12 microphone, please.
13 MR. KINDER: It just occurred to me that it
14 might be helpful, especially for our newer members, to
15 know what -- roughly, what percentage of those FTE costs
16 are retirement and insurance and all that sort of thing
17 that goes into those total figures of 90-some-odd
18 thousand.
19 MS. AEBISCHER: The request for an FTE is the
20 salary, the fringe benefits, and retirement. So about
21 25 percent is in retirement and benefits.
22 CHAIR HAMMON: I'd like to break this down --
23 we'll let the board get settled again -- into bite-size
24 pieces. And offer up, first, if anyone has questions
25 regarding the FTE request for six full-time employees?

Page 47

1 for everyone.
2 MR. MASON: So say that again, when was the
3 last sweep of money?
4 MS. AEBISCHER: It's been a couple years since
5 they've swept money.
6 MR. MASON: Thank you.
7 MS. AEBISCHER: Okay. I think we skipped a
8 slide of an additional position in the field. Yes.
9 So the lab also needed an additional position, which
10 is \$96,017, for the field laboratory customer assistance
11 section. So this position is needed for continuation and
12 expansion of the small system assistance drinking water
13 program this.
14 This program assists small public water supply
15 systems, the systems with population less than 10,000 who
16 are in persistent noncompliance with the Safe Drinking
17 Water Act regulations, often due to lack of funding,
18 expertise, and knowledge. So this current program is
19 limited to 11 counties in the state.
20 The additional FTE, in conjunction with the recent
21 purchase of the mobile lab -- this mobile lab was funded
22 through a federal grant -- would allow the program to
23 expand statewide. This FTE would also allow the agency to
24 expand the scope and effectiveness of its emergency
25 response program.

Page 49

1 MR. THOMPSON: Scott Thompson, executive
2 director. One thing -- I think most of you are aware of
3 this, but just to make sure everybody's clear -- this is
4 a request. It depends on whether the legislature and the
5 governor's office determine that they wish to fund parts
6 or all of this.
7 And so we have no expectations of how that is
8 actually going to be at the end of, you know, the session
9 because they won't really be able to talk about the
10 budget, actual funding, until at least April, and most of
11 the time it's in May.
12 And so that's when they will make determinations
13 about whether or not to provide funding or, as in last
14 year's case, to add a million dollars to a program that
15 they really like.
16 So it does -- just because we're proposing this, does
17 not mean that we anticipate actually receiving all of
18 this. And, you know, we'd like to because we think we can
19 do good things with it and we can provide better services,
20 and so we feel kind of an obligation to maintain our state
21 property. But, you know, it's not set in stone that, if
22 we ask for that, that it's definitely going to happen.
23 MS. AEBISCHER: And our request is due to the
24 state October 1st, so that's kind of the process. We
25 have to prepare what our needs are and outline our

Page 50

1 request and submit it by October 1 of each year.
2 CHAIR HAMMON: And, you know, the parking
3 garage has been something that's been discussed since I
4 joined the board probably eight or nine years ago. And I
5 believe at one time the board did approve funding for
6 that.
7 But let's start with the FTE. Do any members of the
8 board have questions about the request for additional
9 employees, the funding for additional employees?
10 (No response.)
11 CHAIR HAMMON: Hearing none, let's talk about
12 the parking garage.
13 Questions?
14 MR. HIRSHEY: I've got a couple of questions
15 that really kind of relates to the garage but also
16 relates to this document we've done.
17 Has there been any desire to do a type of study --
18 now I'm not talking about anything very elaborate, but a
19 casual-type study on the number of employees that need to
20 be housed in this building based on a two- to three-day
21 workweek that they would be telecommuting?
22 Have you done any type of general -- like, some of
23 us, the businesses have done this quite a bit in the
24 commercial sector and looked at the impact, not only --
25 and this is pretty good stuff; I like this -- but done the

Page 52

1 And so I'm supportive of defending this to the
2 governor because I think it's an incredibly necessary
3 discussion to finally get to a place where we put either
4 the plans for the garage or for long-term plans to support
5 the growth and continued excellence of this agency in its
6 physical facilities. And so I'm not sure of the
7 discussion about how many people.
8 Obviously, with the telework new guidance that's come
9 out from the Office of Management and Enterprise Services,
10 we will see more hotelizing, you know, of space, which is
11 exactly what I believe you're talking about. The need
12 probably is changed in some regard.
13 Unfortunately, this garage itself structurally needs
14 some help one way or the other, and so getting to some
15 final conclusion, I think, is the real aim of that
16 \$20 million, because \$20 million can also purchase some
17 other significant buildings in the state, as we've seen
18 with what we did with SandRidge and the Tax Commission.
19 So I think it opens the conversation to what the
20 long-term future of this, that can come with some
21 alternatives, and as well as the garage for you all to
22 consider what's best for that.
23 So I hope that helps from my perspective and how
24 we're dealing with it at the Office of Management and
25 Enterprise Services, the governor's office, and a plan to

Page 51

1 impact on footprint needs that relates to cost -- that can
2 go directly to cost needs and then down to even the number
3 of parking spaces needed?
4 Because, I mean, like our company, we've totally
5 eliminated all of our paid-for parking and now we're
6 ramping in some additional as we're shifting into
7 something similar. So I have that question.
8 Ken, are you raising your hand?
9 SECRETARY WAGNER: I know it's out of turn, but
10 if I can help out on this a little bit?
11 CHAIR HAMMON: Please do so.
12 Would you like to go to the microphone?
13 SECRETARY WAGNER: So, as many of you on the
14 board know, this has been a hot topic for really many
15 years, but in the last several years, you know, they ran
16 a bill in the legislature in '19 to sell this building
17 and the garage.
18 I believe that this budget request -- and the
19 governor's asked for a flat budget, if not a reduced
20 budget, so I'm going to take some heat, but I believe this
21 is a conversation starter about a final fix that finally
22 will get that to -- because the legislature isn't just
23 going to hand out \$20 million because you guys want a
24 garage. And so I will tell you there will be lots of
25 things looked at, including studies.

Page 53

1 engage the legislature.
2 Scott has an incredibly good relationship with the
3 two appropriators, the chairs of the appropriations; in
4 particular, Roger Thompson. He is keenly aware and
5 supportive of finding a solution that works for this
6 agency.
7 MR. THOMPSON: I would say this: You know, I
8 don't know if we have exact numbers on maximum
9 teleworking, but that's pretty much what we did during
10 the pandemic.
11 So we have leased additional space to have adequate
12 parking outside the garage, especially as we have to
13 reduce the use of the garage.
14 And the estimate for the lifespan of the garage is in
15 the neighborhood of probably three years or so right now,
16 but it could be shut down in six months or a year or in
17 two years. It just depends on when it starts to hit that
18 critical threshold that it's just not -- or if the wrong
19 part of the garage begins to be an issue, then you just
20 can't use the upper floors or anything immediately
21 underneath the major concern.
22 So, now, the pillars themselves are in pretty good
23 shape, but there's a little spalling on some of the
24 crossbeams and stuff, but -- so, you know, I think we were
25 in the ballpark. I'm trying to remember what our numbers

Page 54

1 were, but we were at least 70 percent teleworking at the
2 maximum, if not a little higher.
3 Because, basically, the lab cannot telework. They
4 have to be in this building. Finance needed people in the
5 building to run some of those systems, and there were a
6 handful of other folks that had to work in the building.
7 And so, you know, we can repeat that.
8 I know one thing that the telework experience has
9 given us is that, if we needed to, if we were actually to
10 receive funding and the determination was to repair our
11 garage, then we could do it in place. We don't need to
12 build it in a new location because we could telework
13 during the construction, et cetera.
14 And so, you know, I would expect it would be at least
15 a two-year window, if we got funded tomorrow, to be able
16 to do design and actual construction, have it ready to go
17 if that were to be the case.
18 So we're open to other solutions, but I feel
19 obligated to put this on the table for the legislature to
20 say. This is a serious need and we need to figure out
21 long term where we're going.
22 And OMES has been here and looked at our building,
23 and the Commissioners of the Land Offices also toured our
24 building and looked at it from a hoteling standpoint, but
25 if you don't have adequate parking, it's kind of hard to

Page 56

1 SECRETARY WAGNER: It has been. It has been,
2 Steve, and if you want to make a -- you know, a
3 structural, you know, comment to that, I'd be happy to
4 take to it to them. But I have, obviously, for several
5 years done that.
6 And I would also say, you know, when you can buy a
7 building that's twice the -- or equal size for less than
8 the cost of the garage, those are real considerations.
9 And so it's easy to say that. I mean, obviously, if we
10 think it's structurally deficient, we need to keep people
11 out of it today.
12 Just like with a permit, if it's not safe, don't
13 grant the permit. If it's not safe, don't give a
14 certificate of occupancy. Whatever that is, we've got to
15 follow that. So if that's what you're saying as an
16 engineer, then we need to make those --
17 MR. MASON: I'm not a structural engineer and
18 I've not inspected the building. I'm just amazed it is
19 not closed. Based on this quarterly inspection, we close
20 a few more parking spots. The risk of loss of human life
21 is strong.
22 SECRETARY WAGNER: Then if that's the case,
23 then we shouldn't even really be discussing that. We
24 shouldn't be looking at that, and that shouldn't be
25 political about the cost of a new garage. It should be

Page 55

1 bring other people in. Right?
2 Because we have some space, if some agencies were
3 consolidated here, we could potentially make room in the
4 building through teleworking and stuff and setting up
5 hotel spaces, but you still have to have enough parking.
6 And there's just not adequate parking nearby. You
7 could go several miles away, but then we'd be talking
8 shuttle buses or something to try to make sure people
9 could get back and forth in a reasonable amount of time.
10 The trolley is great, but it's a long way if you
11 catch the wrong side of the loop on that, too, to get
12 around back to this facility.
13 So we're open to all options, and I would anticipate,
14 if it becomes critical, we will go back into maximum
15 teleworking and having the lab folks and the financial
16 folks and the few other people who have to be here parking
17 outside the garage in some of these other spaces we've
18 leased.
19 MR. MASON: Steve Mason here. Scott and I have
20 talked about this, and I'm a licensed engineer. God
21 bless engineers, but we're not perfect. After the
22 Surfside complex collapse, there's a real chance it's
23 going to kill somebody even though the engineer inspects
24 it quarterly. And I just think that urgency needs to be
25 presented to the legislature and the governor.

Page 57

1 about the protection of our agency, of the employees.
2 MR. THOMPSON: For the benefit of our new board
3 member, one of the key things in this whole equation is
4 if we were just an office, then relocation would not be
5 very problematic.
6 But the laboratory is very specialized, and
7 especially running organics and we're having to move in a
8 world where we're having to test parts per trillion for
9 some things. We accept more and more of that from EPA.
10 And so you have to really control the air quality in
11 the laboratory and everything because some of the
12 compounds we're having to start testing for, we're
13 wearing, they're in the carpet, they're in everywhere. So
14 we have to make sure that we don't get false positives in
15 some of these drinking water system samples, and that's
16 going to be quite a challenge.
17 Anyhow, the cost to build a new laboratory
18 somewhere or to relocate to an existing building and
19 upgrade it to laboratory standards, just the laboratory
20 portion would be from probably 35 to 60-plus million
21 dollars. And so that is the big obstacle to -- like,
22 considering some of the real estate that's on the market
23 right now.
24 It's possible, but I think the most feasible
25 option, unless the legislature and the governor choose to

Page 58

1 fund a new facility completely, or fund the garage, is
2 that, if we were to acquire another property, it would be
3 for office space and the laboratory would remain in this
4 building.
5 And, currently, our overhead has gone up a
6 little bit with Oklahoma City cutting our ground, but, you
7 know, what it costs us to live in this building that we
8 have owned for so many years -- and we actually got quite
9 a good deal and we made some smart investments; I think we
10 have in the neighborhood of \$7 million or so in this
11 building completely -- it costs us about a million a year,
12 million and a half a year, somewhere in that ballpark, to
13 live here.
14 So it's hard to get a better deal than that for
15 the taxpayers and be able to take as much of our resources
16 and put them to work in delivering services as possible.
17 But we're in a situation where something's going to have
18 to happen or we're going to be teleworking to the maximum
19 extent possible pretty soon.
20 CHAIR HAMMON: I want to cycle back to
21 Mr. Mason's comment regarding safety, and I do agree that
22 needs to be first and foremost to protect folks using
23 that garage. It is a bit of concern when there's holes
24 in the decking and concrete pieces coming through.
25 So you mentioned there's a quarterly inspection, and

Page 60

1 longer the case. So, you know, that -- that pressure or
2 demand on somebody wanting this space politically is no
3 longer there.
4 But the idea of, you know, solving a parking garage
5 problem with a lab problem has always been the conundrum.
6 You trade one set for the other. And the idea of using
7 both, reducing the volume or density of this space is
8 something that perhaps could also bring to bear ARP money.
9 I've had that discussion with the governor. So there's a
10 lot to be said.
11 Obviously, if there is a public safety issue, that
12 should be getting to the point right away. We don't want
13 to ever put -- just like with COVID, just like with any
14 other condition, we don't want to expose our employees to
15 any danger that's not reasonably calculated to be safe.
16 So that's what I would say to that.
17 In fact, that is not even in the same calculus, that
18 if you take care of that first and we deal with that, and
19 if we have an emergency that we have to go to the
20 legislature or something like that, I certainly am
21 committed to carrying that and supporting this agency.
22 MR. SIMS: I think we all have a common
23 understanding of the problem, but I think I'll make a
24 motion we request 20 million for the purpose of solving
25 the problem of our parking garage.

Page 59

1 I wonder whether the condition has deteriorated enough
2 that we need to consider more frequent. So I'm not
3 familiar with the structure, the reports that have been
4 received to date, but it's something to consider.
5 But are there other questions?
6 MR. PAQUE: One quick comment. I agree with
7 all the comments about public safety, and I think we've
8 had the luxury of telecommuting, and that's something we
9 didn't expect to be able to do.
10 So we can talk about the availability or the lack
11 of -- diminished need, perhaps, for parking spaces and the
12 \$20 million to replace the building. One cost that we
13 will have on our budget if we don't do something is cost
14 of demolition, because that thing isn't getting any
15 better. And I think that's maybe a little facetious of
16 me, but it's -- something's got to give. And we will be
17 paying to tear it down and have to surface the lot at some
18 point if we don't do anything.
19 SECRETARY WAGNER: I would just say that it's a
20 very complex -- and Scott knows this; we've dealt with
21 it. You know, at the time people thought there was value
22 in repurposing this building in a commercial use. And,
23 really, what we think was behind the bill that got ran
24 and passed of selling the building was that they desired
25 this for something else. As I understand it, that's no

Page 61

1 CHAIR HAMMON: Should we incorporate the budget
2 as a whole in that request?
3 MR. SIMS: Yes.
4 CHAIR HAMMON: Would you like to revise your
5 motion?
6 MR. SIMS: Make a motion to approve the budget
7 as proposed.
8 CHAIR HAMMON: All right. I have a motion to
9 approve the budget as proposed.
10 Do I have a second?
11 MR. GRIESEL: Second.
12 CHAIR HAMMON: I heard two.
13 All right. Quiana, do your roll call.
14 MS. FIELDS: Mr. Auer.
15 MR. AUER: Yes.
16 MS. FIELDS: Mr. Barton.
17 MR. BARTON: Yes.
18 MS. FIELDS: Mr. Easton.
19 MR. EASTON: Yes.
20 MS. FIELDS: Dr. Ferrell.
21 DR. FERRELL: Yes.
22 MS. FIELDS: Mr. Griesel.
23 MR. GRIESEL: Yes.
24 MS. FIELDS: Mr. Hirshey.
25 MR. HIRSHEY: Yes.

Page 62	Page 63
<p>1 MS. FIELDS: Ms. Kindrick. 2 MS. KINDRICK: Yes. 3 MS. FIELDS: Mr. Kinder. 4 MR. KINDER: Yes. 5 MS. FIELDS: Mr. Mason. 6 MR. MASON: Yes. 7 MS. FIELDS: Mr. Munson. 8 MR. MUNSON: Yes. 9 MS. FIELDS: Mr. Paque. 10 MR. PAQUE: Yes. 11 MS. FIELDS: Mr. Sims. 12 MR. SIMS: Yes. 13 MS. FIELDS: Dr. Hammon. 14 CHAIR HAMMON: Yes. 15 MS. FIELDS: Motion passed. 16 CHAIR HAMMON: All right. So the proposed 17 budget has been approved. 18 If there's any assistance the board can provide in 19 discussion with the legislature, please let us know. 20 Our next agenda item is employee disclosure, so 21 Jennifer Boyle. 22 MS. BOYLE: Hello, I'm Jennifer Boyle, and I 23 just wanted to take this opportunity to introduce myself 24 to all of you personally. I'm kind of in a unique 25 position in that I have been working for DEQ for ten</p>	<p>1 years in different capacities, so I know who all of you 2 are, and if I don't know you personally, I know of you. 3 And I met Mr. Auer today. 4 So, anyway, I just wanted to take this opportunity 5 say hello and I look forward to getting to know all of you 6 better. 7 And, secondly, on the employee disclosures, because 8 of the structural changes, I got the request for those 9 disclosures out a little later than I had anticipated, so 10 nothing -- there's not going to be anything really 11 interesting or earthshattering here. 12 But, interestingly, we did get a copy of questions 13 about ownership in medical marijuana businesses that some 14 of our more enterprising employees are, I guess, getting 15 into the business of. And so I want to look at those a 16 little more closely, and they will be included in your 17 November packet as a final report. 18 But since there's no action needed, just wanted to 19 let you know that's where we stand. 20 So, hello. 21 CHAIR HAMMON: Thank you. Welcome, Jennifer. 22 All right. Before we get into our next item, which 23 is a breakout into executive session, I need someone to 24 volunteer to take minutes during that session. 25 Do I have a volunteer? No one will judge your</p>
Page 64	Page 65
<p>1 handwriting. 2 MR. BARTON: If you don't judge the 3 handwriting. 4 CHAIR HAMMON: We will not. Mr. Barton, thank 5 you. 6 All right. Do I have a motion to move to executive 7 session? 8 MR. KINDER: Motion so moved. 9 MR. MUNSON: Second. 10 CHAIR HAMMON: All right. 11 Quiana, before we go to roll call, I'll just note 12 that the board will stay in this room for executive 13 session. 14 The remainder of folks will be asked to leave. We'll 15 let you know when it's time to come back in. Our 16 microphones will be muted during that session. 17 So, Quiana, if you would, please do a roll call. 18 MS. FIELDS: Mr. Auer. 19 MR. AUER: Yes. 20 MS. FIELDS: Mr. Barton. 21 MR. BARTON: Yes. 22 MS. FIELDS: Mr. Easton. 23 MR. EASTON: Yes. 24 MS. FIELDS: Dr. Ferrell. 25 DR. FERRELL: Yes.</p>	<p>1 MS. FIELDS: Mr. Griesel. 2 MR. GRIESEL: Yes. 3 MS. FIELDS: Mr. Hirshey. 4 MR. HIRSHEY: Yes. 5 MS. FIELDS: Ms. Kindrick. 6 MS. KINDRICK: Yes. 7 MS. FIELDS: Mr. Kinder. 8 MR. KINDER: Yes. 9 MS. FIELDS: Mr. Mason. 10 MR. MASON: Yes. 11 MS. FIELDS: Mr. Munson. 12 MR. MUNSON: Yes. 13 MS. FIELDS: Mr. Paque. 14 MR. PAQUE: Yes. 15 MS. FIELDS: Mr. Sims. 16 MR. SIMS: Yes. 17 MS. FIELDS: Dr. Hammon. 18 CHAIR HAMMON: Yes. 19 MS. FIELDS: Motion passed. 20 CHAIR HAMMON: Thank you. 21 We're now in executive session. 22 (Off record from 11:39 a.m. to 12:54 p.m.) 23 CHAIR HAMMON: We'd like to reconvene into open 24 session. Could I get a motion to reconvene? 25 MR. GRIESEL: So moved.</p>

Page 66

1 CHAIR HAMMON: Thank you.
 2 Second?
 3 DR. FERRELL: Second.
 4 CHAIR HAMMON: Hopefully, you guys captured
 5 that.
 6 Roll call, please.
 7 MS. FIELDS: Mr. Auer.
 8 MR. AUER: Here.
 9 MS. FIELDS: Mr. Barton.
 10 MR. BARTON: Yes.
 11 MS. FIELDS: Mr. Easton.
 12 MR. EASTON: Here.
 13 MS. FIELDS: Dr. Ferrell.
 14 DR. FERRELL: Yes.
 15 MS. FIELDS: Mr. Griesel.
 16 MR. GRIESEL: Yes.
 17 MS. FIELDS: Mr. Hirshey.
 18 MR. HIRSHEY: Yes.
 19 MS. FIELDS: Ms. Kindrick.
 20 MS. KINDRICK: Yes.
 21 MS. FIELDS: Mr. Kinder.
 22 MR. KINDER: Yes.
 23 MS. FIELDS: Mr. Mason.
 24 MR. MASON: Yes.
 25 MS. FIELDS: Mr. Munson.

Page 68

1 MR. GRIESEL: I will second. Griesel.
 2 CHAIR HAMMON: Quiana, can I get a roll call.
 3 MS. FIELDS: Mr. Auer.
 4 MR. AUER: Yes.
 5 MS. FIELDS: Mr. Barton.
 6 MR. BARTON: Yes.
 7 MS. FIELDS: Mr. Easton.
 8 MR. EASTON: Yes.
 9 MS. FIELDS: Dr. Ferrell.
 10 MR. FERRELL: Yes.
 11 MS. FIELDS: Mr. Griesel.
 12 MR. GRIESEL: Yes.
 13 MS. FIELDS: Mr. Hirshey.
 14 MR. HIRSHEY: Yes.
 15 MS. FIELDS: Ms. Kindrick.
 16 MS. KINDRICK: Yes.
 17 MS. FIELDS: Mr. Kinder.
 18 MR. KINDER: Yes.
 19 MS. FIELDS: Mr. Mason.
 20 MR. MASON: Yes.
 21 MS. FIELDS: Mr. Munson.
 22 MR. MUNSON: Yes.
 23 MS. FIELDS: Mr. Paque.
 24 MR. PAQUE: Yes.
 25 MS. FIELDS: Mr. Sims.

Page 67

1 MR. MUNSON: Yes.
 2 MS. FIELDS: Mr. Paque.
 3 MR. PAQUE: Yes.
 4 MS. FIELDS: Mr. Sims.
 5 MR. SIMS: Yes.
 6 MS. FIELDS: Dr. Hammon.
 7 CHAIR HAMMON: Yes.
 8 MS. FIELDS: Motion passed.
 9 CHAIR HAMMON: Thank you.
 10 We are now back in open session. I appreciate
 11 everyone's patience while we went through executive
 12 session.
 13 At this time I'd like to ask if any board members
 14 would like to propose a specific action or recommendation
 15 based on the executive session discussion.
 16 MR. MUNSON: Madam Chairman, this is Munson
 17 here. Based on the discussion we had in executive
 18 session and Scott's presentation and the discussion we
 19 had with the Secretary, and in light of what I feel, the
 20 board supports Scott's outstanding leadership, and
 21 especially during the last year and a half, two years or
 22 so, all the added pressures, we are also cognizant of the
 23 fact that Scott's not getting any younger and we want to
 24 keep him around as long as we can, I would move forward
 25 with a motion for a 15 percent raise for Scott.

Page 69

1 MR. SIMS: Yes.
 2 MS. FIELDS: Dr. Hammon.
 3 CHAIR HAMMON: Yes.
 4 MS. FIELDS: Motion passed.
 5 CHAIR HAMMON: Thank you all.
 6 Scott, I just wanted to go on the record to thank you
 7 for your leadership at the agency. This past year has
 8 been exceptionally challenging. It would be easy to get
 9 caught up in a pandemic and sort of let that drive
 10 everything, yet you have managed to move the agency
 11 forward during difficult times through innovative plans,
 12 the water leak program, leadership and management of
 13 change. The board appreciates that.
 14 Assembly of exceptional staff that has continued to
 15 function without -- really without gap or delay despite
 16 the pandemic.
 17 The transparency of the financial statements
 18 continues to be impressive. We thank you for that. You
 19 work well across agencies and states.
 20 And we really have trust in the people that you have
 21 and that you have put in place in your agency, and it was
 22 noted that the responsiveness of the agency is very much
 23 appreciated. So we do thank you for your service and
 24 appreciate what you have done.
 25 Would any other members of the board like to say

Page 70

1 anything?
2 (No response.)
3 CHAIR HAMMON: Okay. Let us move on to the
4 calendar year 2022 board meeting dates and locations.
5 So at the end of your packets, you'll see a proposal
6 for location. We have February -- Friday, February 18th,
7 Oklahoma City; June 14th, Oklahoma City; September 13th, a
8 proposal to bring the board to Quartz Mountain, which we
9 missed out on this year.
10 And then for November 8th, a Bartlesville or Shawnee
11 location. It would be Bartlesville if we did not make it
12 there in November of this year and Shawnee if we do make
13 it to Bartlesville.
14 Any questions regarding the proposed board meeting
15 location?
16 MR. SIMS: I'll make a motion we approve that
17 schedule for next year.
18 MR. PAQUE: I'll second. Second.
19 CHAIR HAMMON: We have a motion and a second.
20 Quiana, roll call, please.
21 MS. FIELDS: Mr. Auer.
22 MR. AUER: Yes.
23 MS. FIELDS: Mr. Barton.
24 MR. BARTON: Yes.
25 MS. FIELDS: Mr. Easton.

Page 72

1 reasonably foreseen prior to posting of the agenda.
2 Does anyone have anything to bring to the board?
3 (No response.)
4 CHAIR HAMMON: Hearing none, I'll move to our
5 next item, which is our next meeting agenda item 15. The
6 agenda does state Oklahoma City, Oklahoma, November 9th.
7 However, we have originally voted to be in Bartlesville
8 so this is open to board discussion at this time as to
9 whether we would like to make this Oklahoma City for
10 November or retain Bartlesville.
11 Again, with the unknown that is the pandemic, this is
12 certainly open for discussion as to the board's
13 preference. So I will take your wisdom in how to handle
14 this.
15 The board had voted Bartlesville last fall, so when
16 the agenda came out, it did not indicate Bartlesville or
17 Oklahoma City. I don't think the move has been decided.
18 It was certainly not discussed at the board level.
19 David?
20 MR. GRIESEL: Chair, I would suggest that since
21 we had voted for the location in Bartlesville, that the
22 determination be made by the chairman and executive
23 director in adequate time to decide whether we're going
24 to be in Bartlesville or Oklahoma City, since you already
25 have an approval on Bartlesville. Again, no action

Page 71

1 MR. EASTON: Yes.
2 MS. FIELDS: Dr. Ferrell.
3 MR. FERRELL: Yes.
4 MS. FIELDS: Mr. Griesel.
5 MR. GRIESEL: Yes.
6 MS. FIELDS: Mr. Hirshey.
7 MR. HIRSHEY: Yes.
8 MS. FIELDS: Ms. Kindrick.
9 MS. KINDRICK: Yes.
10 MS. FIELDS: Mr. Kinder.
11 MR. KINDER: Yes.
12 MS. FIELDS: Mr. Mason.
13 MR. MASON: Yes.
14 MS. FIELDS: Mr. Munson.
15 MR. MUNSON: Yes.
16 MS. FIELDS: Mr. Paque.
17 MR. PAQUE: Yes.
18 MS. FIELDS: Mr. Sims.
19 MR. SIMS: Yes.
20 MS. FIELDS: Dr. Hammon.
21 CHAIR HAMMON: Yes.
22 MS. FIELDS: Motion passed.
23 CHAIR HAMMON: Thank you.
24 At this time agenda item 14, new business. Any
25 matter not known about or which could have not been

Page 73

1 taken.
2 That would be my recommendation.
3 CHAIR HAMMON: Well, we did have an approval on
4 Bartlesville at our November -- or was it our -- one of
5 our previous board meetings.
6 MR. GRIESEL: Has the Secretary of State's
7 office been notified of Bartlesville or Oklahoma City?
8 MS. FIELDS: I think it's Bartlesville.
9 MR. GRIESEL: Bartlesville?
10 MS. FIELDS: Yes.
11 MR. GRIESEL: Okay.
12 CHAIR HAMMON: All right. So at this time we
13 would -- you know, I didn't want to ignore an agenda that
14 clearly said Oklahoma City, but at this time we will
15 assume that we are still proceeding with Bartlesville.
16 If conditions change between now and then, we will make a
17 decision, and I will work with Scott on that.
18 MS. BOYLE: Jennifer Boyle here. If I may, we
19 would just need to have that at least 30 days in advance
20 of that meeting so we can notice it properly. Thanks.
21 CHAIR HAMMON: Thank you.
22 For the record, then, we will keep with Bartlesville.
23 The agenda does say Oklahoma City, but that has not been
24 finalized at this point.
25 Okay. Next item, adjournment.

<p style="text-align: right;">Page 74</p> <p>1 Motion to adjourn? 2 MR. HIRSHEY: I make a motion we adjourn. 3 MR. MUNSON: Second. 4 CHAIR HAMMON: Before we get to roll call, 5 Quiana, I just want to mention some closing words 6 regarding the pandemic. 7 We are still in a pandemic, unfortunately. I hope 8 that our next meeting finds us, you know, well on our way 9 to being out of that. 10 We have spent about three hours in a room together, 11 so please note who you were near. If you do not feel well 12 in the next 48 hours, I would appreciate you contacting 13 the folks you were near just so that we can stop any 14 further spread of pandemic and that folks are informed. 15 If you don't wish to do that, you can contact myself 16 or Scott or some of the agency staff, and we'll help you 17 get in touch with people, but I feel that we need to do 18 our part and also try to minimize that. 19 I appreciate the mask wearing. I appreciate the 20 measures that were taken. Before we adjourn, just pay 21 attention to who you were near today and keep that in 22 mind. 23 So, Quiana, roll call, please. 24 MS. FIELDS: Mr. Auer. 25 MR. AUER: Yes.</p>	<p style="text-align: right;">Page 75</p> <p>1 MS. FIELDS: Mr. Barton. 2 MR. BARTON: Yes. 3 MS. FIELDS: Mr. Easton. 4 MR. EASTON: Yes. 5 MS. FIELDS: Dr. Ferrell. 6 MR. FERRELL: Yes. 7 MS. FIELDS: Mr. Griesel. 8 MR. GRIESEL: Yes. 9 MS. FIELDS: Mr. Hirshey. 10 MR. HIRSHEY: Yes. 11 MS. FIELDS: Ms. Kindrick. 12 MS. KINDRICK: Yes. 13 MS. FIELDS: Mr. Kinder. 14 MR. KINDER: Yes. 15 MS. FIELDS: Mr. Mason. 16 MR. MASON: Yes. 17 MS. FIELDS: Mr. Munson. 18 MR. MUNSON: Yes. 19 MS. FIELDS: Mr. Paque. 20 MR. PAQUE: Yes. 21 MS. FIELDS: Mr. Sims. 22 MR. SIMS: Yes. 23 MS. FIELDS: Dr. Hammon. 24 CHAIR HAMMON: Yes. 25 MS. FIELDS: Motion passed.</p>
<p style="text-align: right;">Page 76</p> <p>1 CHAIR HAMMON: Meeting adjourned. 2 So we now move into the public forum portion of our 3 meeting. I'm going to go ahead and read the script. I'm 4 not sure if anyone has signed up today, but in keeping 5 with our process, I'm going to go ahead and read the 6 script. 7 If no one has signed up, we'll depart at that time. 8 So welcome to the public forum of the Environmental 9 Quality Board. Public input is valuable to the board and 10 the department and we welcome your participation. 11 If you desire to make comment in today's forum but 12 you did not sign the sheet on the information table when 13 you came in, would you please raise your hand. 14 We ask that you limit your comments to five minutes. 15 I will advise you when five minutes has passed, and I will 16 ask you to complete your presentation. 17 The forum will allow you to make suggestions or 18 express concerns about environmental laws, rules, or 19 policy; however, concerns with an action or decision in a 20 specific case or matter such as a particular permit 21 application or enforcement case should be communicated 22 directly to the department. The board cannot and does not 23 intervene in those case-specific decisions. 24 We also ask that you not use the forum to advertise 25 or publicize commercial products or services. Because of</p>	<p style="text-align: right;">Page 77</p> <p>1 the nature of the issues that are appropriate for the 2 forum, you may not receive an immediate response to your 3 comment. 4 Department staff and/or the board generally need some 5 time to evaluate the comments and respond to them. 6 Quiana, did we have anyone sign up? 7 MS. FIELDS: We did not. 8 CHAIR HAMMON: Okay. And I saw no hands 9 raised. So at this time the public forum session is 10 concluded. 11 Thank you. 12 (End of proceedings at 1:06 p.m.) 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

1 STATE OF OKLAHOMA)
2) SS:
3 COUNTY OF OKLAHOMA)
4

5 C E R T I F I C A T E

6 I, DEBRA GARVER, a certified shorthand reporter
7 within and for the State of Oklahoma, certify that the
8 foregoing transcription of the Oklahoma Environmental
9 Quality Board Meeting, September 14, 2021, at 10:00 a.m.,
10 at the Oklahoma Department of Environmental Quality, 707
11 North Robinson, 1st floor, Multi-Purpose Room, in Oklahoma
12 City, Oklahoma, was taken by me in stenotype and
13 simultaneously transcribed by computer, and the foregoing
14 is a true and correct transcript of said proceedings, and
15 that I am not an attorney for or a relative of any party,
16 or otherwise interested in this action.

17 Witness my hand and seal of office, October 7, 2021.

18
19 

20 DEBRA GARVER, CSR, RPR
21 State of Oklahoma CSR# 1370
22 Certificate exp. 12/31/2021
23
24
25



ENVIRONMENTAL QUALITY BOARD

Attendance Record
September 14, 2021
 Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Quiana Fields

ODEQ

Mark Barton

EQB

Scott Thompson

DEQ

Kathy Aebischer

DEQ

Tracy Hammon

EQB

Billy Sims

DEQ Board

Erin Hatfield

DEQ

Skylar McElhoney

DEQ

Mike Pague

EQB

Kendal Steinhilber

DEQ

~~John Doe~~

EQB

Jimmy Givens

DEQ

~~Anna~~

Saba Tahmassebi

DEQ

Lloyd Kirk

DEQ

Jimmy W Kinder

Board

Ken Hinchey

Board

IGB Singletary

DEQ

Mark Hildebrand

DEQ

Jennifer Boyle

DEQ

Alexie Kindra

EQB

Michelle Wynn

DEQ

Travis Merrick

DEQ

Jennifer Lewis

OAG

Karen Steele

DEQ

Travis Herrin

DEQ



ENVIRONMENTAL QUALITY BOARD

Attendance Record
September 14, 2021
Oklahoma City, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Shannon L. Ferrell	EQB
Kenneth E. Wagner	Gov office
Steve Mason	EQB
Kelly Dixon	DEQ
David Griesel	
Adey Danielson	DEQ
Jeff [unclear]	DEQ
Rich Auer	EQB
Tina Munson	EQB