

**REGULAR MEETING AGENDA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA ENVIRONMENTAL QUALITY BOARD**

A Public Meeting: 9:30 a.m. Friday, February 21, 2020
DEQ Multipurpose Room
707 N. Robinson
Oklahoma City, Oklahoma 73101-1677

A copy of this notice and agenda has been posted in a prominent location at the offices of the Oklahoma Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, on February 12, 2020 at 4:30 p.m. A copy of this agenda is available on the DEQ's website at www.deq.ok.gov.

Please turn off cell phones.

1. Call to Order - James Kinder, Chair

2. Announcements - James Kinder, Chair

Announcements will include the introduction of any new Board members or special guests, as well as safety information for the current meeting venue and any other general housekeeping matters of interest to the Board. These announcements are for informational purposes only, and no action by the Board is required.

3. Roll Call - Quiana Fields, Board Secretary

4. Approval of Minutes of the November 8, 2019, Regular Meeting

5. Election of Officers – Election of Chair and Vice-Chair for Calendar Year 2020

6. Rulemaking – OAC 252:515 Management of Solid Waste

The Department is proposing to amend OAC 252:515, Subchapters 19 and 27 to clarify deadlines related to cost estimates, to specify deadlines for financial assurance mechanisms, and to make a minor grammatical change related to dust control.

- Presentation – Jeff Shepherd, Chair, Solid Waste Management Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

7. Rulemaking – OAC 252:100 Air Pollution Control

The Department is proposing to amend OAC 252:100, Subchapter 17, Incinerators, to clarify the applicability of Part 9, Commercial and industrial solid waste incineration units (CISWI), to existing air curtain incinerators.

- Presentation – Laura Lodes, Chair, Air Quality Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

8. Rulemaking – OAC 252:205 Hazardous Waste Management

The Department is proposing to amend OAC 252:205, Subchapters 3 and 5 to make DEQ's hazardous waste rules consistent with federal regulations. These changes will address the safe management of recalled (vehicle) airbags and revised management standards for hazardous waste pharmaceuticals, which include an amendment to the hazardous waste listing for nicotine. Additionally, minor changes to specific subchapters are required in response to comments received from EPA. These changes regard errors identified during a review of RCRA (Authorization) Cluster XXV.

- Presentation – Lee Grater, Chair, Hazardous Waste Management Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

9. Rulemaking – OAC 252:210 Highway Spill Remediation

The Department is proposing to amend OAC 252:210, Subchapter 1 to add definitions, clarify license holder responsibility, create training and reporting minimum requirements, require mandatory final reporting of spill cleanups, add a stricter requirement for authorization of performing remediation services, and make other minor clarifications and corrections.

- Presentation – Lee Grater, Chair, Hazardous Waste Management Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

10. Rulemaking – OAC 252:641 Individual and Small Public On-Site Sewage Treatment Systems

The Department is proposing to amend OAC 252:641, Subchapters 1, 3, 5, 7, 9, 10, 12, 15, 21, 22, 23, Appendix C, E, F, and M to clarify definitions, clarify ownership of on-site systems, remove certain construction requirements and adopt the current Oklahoma Plumbing Code, update requirements of septic tanks, clarify the use of treatment systems for commercial small public facilities, amend construction requirements for ET/A systems, amend drip installation requirements, add closure requirements for lagoons, clarify scores for Certified Installers and Certified Soil Profilers, clarify the refunding of permit fees, and make other minor clarifications and corrections.

- Presentation – Brian Duzan, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

11. Rulemaking – OAC 252:710 Waterworks and Wastewater Works Operator Certification

The Department is proposing to amend OAC 252:710, Subchapters 1, 3, 5, 7, Appendix B and C to enhance the professional development of operators in Oklahoma by increasing training requirements for certification renewal. This will allow DEQ to approve a variety of training opportunities that minimize the financial impact on operators and employers and help rural operators to achieve the required training hours. This rulemaking will allow environmental professionals, such as DEQ staff and consulting engineers, to obtain a special non-operational certification in order to demonstrate a fundamental understanding of operator knowledge and will modify language to change the time of approval and review for training courses from 30 to 42 days. It will also incorporate the language of Senate Bill No. 670 that provides for certification reciprocity for military personnel being transferred to Oklahoma. This rulemaking will promote consistency with relevant statutory language and clarify existing language by adding definitions and modifying unclear rule text. The Department is also proposing to add Appendix C that clarifies the number of Professional Development Hours needed for each certificate level.

- Presentation – Brian Duzan, Chair, Water Quality Management Advisory Council
- Questions and discussion by the Board
- Questions, comments and discussion by the public
- Discussion and possible action by the Board, which may include roll call vote(s) on permanent adoption

12. Executive Director's Report – Scott Thompson, DEQ Executive Director

Mr. Thompson's report may include budget and legislative updates as well as significant agency accomplishments and activities since the last Board meeting. This report is for informational purposes only. Although possible discussion may occur, no action by the Board is required.

13. Budget Update and Financial Overview (FY 2020) – Kathy Aebischer, DEQ Chief Financial Officer

Ms. Aebischer's report will include an update and overview of DEQ's current FY 2020 budget. This report is for informational purposes only. Although discussion may occur, no action by the Board is required.

14. New Business

Under the Open Meeting Act, this agenda item is authorized only for matters not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda.

15. Next Meeting

The next regular meeting of the Environmental Quality Board is scheduled to be held on Tuesday, June 9, 2020, at 9:30 a.m., in the Multipurpose Room of the Oklahoma Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma 73101.

16. Adjournment

Public Forum – Following Adjournment – The Board meets several times a year at different locations across the State to hear the views and concerns of all Oklahomans about environmental issues. This opportunity is informal, and we invite you to sign the register to speak. If necessary to accommodate the public, the Board Chair may make a determination to conduct the Forum prior to the Call to Order.

Should you desire to attend but have a disability and need an accommodation, please notify the DEQ three days in advance at 405-702-7100. For hearing impaired, the TDD Relay Number is 1-800-722-0353 for TDD machine use only.