

**MINUTES
ENVIRONMENTAL QUALITY BOARD
NOVEMBER 7, 2023
SIMMONS CENTER CONVENTION CENTER
DUNCAN, OKLAHOMA**

Official EQB Approved
On February 13, 2024

Notice of Public Meeting – The Environmental Quality Board (Board) convened for a Regular Meeting at 9:30 a.m., at the Simmons Center Convention Center – Redbud Courtyard Room, 800 Chisholm Trail Parkway, Duncan, Oklahoma. This meeting was held in accordance with 25 O.S. Section 311, with notice of the meeting given to the Secretary of State on November 1, 2022. The agenda was mailed to interested parties on October 27, 2023 and was posted at the DEQ and the facility on November 6, 2023. Dr. Shannon Ferrell, Vice-Chair, called the meeting to order. Dr. Ferrell welcomed Mr. Jerry Schuber, City of Broken Arrow, to the meeting. Ms. Fields called roll and a quorum was confirmed.

MEMBERS PRESENT

Richard Auer
Mark Barton
Shannon Ferrell
Ken Hirshey
Jimmy Kinder
Steve Mason
Tim Munson
Matt Newman

DEQ STAFF PRESENT

Scott Thompson, Executive Director
Rob Singletary, Deputy Executive Director
Jennifer Boyle, General Counsel
Michelle Wynn, Legislative Liaison
Kathy Aebischer, Administrative Services Division
Lloyd Kirk, Office of External Affairs
Erin Hatfield, Office of Communications
Beverly Botchlet-Smith, Air Quality Division
Mark Hildebrand, Environmental Complaints & Local Services
Jonathan Allen, Deputy General Counsel
Karen Steele, Water Quality Division
Kelly Dixon, Land Protection Division
Malcolm Zachariah, Air Quality Division
Sharon Smith, Office of the Executive Director
Quiana Fields, Board & Council Secretary

MEMBERS ABSENT

Tracy Hammon
Alexie Kindrick
John Easton
Mike Paque
Billy Sims

OTHERS PRESENT

Jennifer Lewis, Office of the Attorney General
Laura Lodes, Air Quality Advisory Council
Jerry Schuber, City of Broken Arrow
Jenny Longley, Court Reporter

Approval of Minutes – Dr. Ferrell called for a motion to approve the Minutes of the September 13, 2023 Regular Meeting. Mr. Hirshey moved to approve and Mr. Newman made the second.

transcript pages 6 - 7

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Matt Newman	Yes

Rulemaking – OAC 252:100 Air Pollution Control – Dr. Ferrell called upon Ms. Laura Lodes, Chair of the Air Quality Advisory Council (AQAC), to present the air rules. Ms. Lodes stated that the Department of Environmental Quality (Department or DEQ) is proposing to make revisions in Subchapters 17, 23 and 35 as part of the Department’s review of Chapter 100 in response to Governor Stitt’s Executive Order 2020-03. The Department is proposing to correct typographical errors in citations found in OAC 252:100-17-93, OAC 252:100-17-103 and OAC 252:100-23-3. In addition, the Department is proposing to correct the reference to the air quality standard in OAC 252:100-35-1. The gist of this rule proposal and the underlying reason for the

rulemaking is to revise inaccurate rule language. Hearing no questions or comments by the Board or the public, Dr. Ferrell called for a motion. Mr. Kinder moved to approve and Mr. Hirshey made the second.

transcript pages 7 - 10

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Matt Newman	Yes

Ms. Lodes stated that the Department is proposing to update OAC 252:100, Appendix Q, Incorporation by Reference. In addition, the Department is proposing to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q. Hearing no questions or comments by the Board or the public, Dr. Ferrell called for a motion. Mr. Hirshey moved to approve and Mr. Auer made the second.

transcript pages 10 - 13

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Matt Newman	Yes

Consideration of and Action on the Annual Environmental Quality Report – Dr. Ferrell called upon Mr. Rob Singletary, Deputy Executive Director of the DEQ. Mr. Singletary gave a presentation on the Annual Environmental Quality Report which must be approved by the Board prior to its submission to the Governor, Speaker of the House and Senate President Pro Tempore by January 1 of each year. The purpose of this report is to outline DEQ’s annual funding needs for providing environmental services within its jurisdiction, reflect any new federal mandates and summarize DEQ-recommended statutory changes. The Environmental Quality Board is authorized to review, amend (as necessary) and approve the report. Following questions by the Board and none by the public, Dr. Ferrell called for a motion to approve the report. Mr. Kinder moved to approve and Mr. Hirshey made the second.

transcript pages 13 - 49

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Matt Newman	Yes

Executive Director’s Report – Mr. Scott Thompson, Executive Director of the DEQ, discussed agency accomplishments and activities since the last Board meeting, as well as information pertaining to budgetary and/or legislative matters.

transcript pages 49 - 61

Budget Status Report (FY 2024) – Dr. Ferrell called upon Ms. Kathy Aebischer, Chief Financial Officer of the DEQ. Ms. Aebischer gave a presentation that included an update and outlook on DEQ’s budget for Fiscal Year 2024.

transcript pages 62 - 64

New Business – None

Next Meeting – The next regular meeting is scheduled for Tuesday, February 13, 2024 in Oklahoma City, Oklahoma at DEQ in the Multipurpose Room.

Adjournment – Dr. Ferrell called for a motion to adjourn. Mr. Hirshey moved to adjourn and Mr. Munson made the second. Meeting adjourned at 10:44 a.m.

transcript pages 65 - 66

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
Ken Hirshey	Yes	Matt Newman	Yes

Public Forum – No public forum issues were raised.

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

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1 REGULAR MEETING, DEPARTMENT OF ENVIRONMENTAL QUALITY
 2 ENVIRONMENTAL QUALITY BOARD
 3 BEGINNING AT 9:30 AM ON NOVEMBER 7, 2023
 4 IN DUNCAN, OKLAHOMA
 5
 6 MEMBERS PRESENT:
 7 Richard Auer
 8 Perry (Mark) Barton
 9 Shannon Ferrell
 10 James Kinder
 11 Matthew Newman
 12 Kenneth Hirshey, Jr.
 13 Tim Munson
 14 Steve Mason
 15
 16 MEMBERS ABSENT:
 17 Mike Paque
 18 Billy Sims
 19 John Easton
 20 Tracy Hammon
 21 Alexandria Kindrick
 22
 23
 24
 25 REPORTED BY: Jenny Longley, CSR

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1 PROCEEDINGS
 2 DR. FERRELL: Good morning. We will now
 3 call this November 2023 regular meeting of the
 4 Environmental Quality Board to order. This board
 5 meeting has been called according to the Oklahoma
 6 Open Meeting Act, Section 311 of Title 25 of the
 7 Oklahoma Statutes. Notice was filed with the
 8 Secretary of State on November 1, 2022. Agendas
 9 were mailed to interested parties on October 27,
 10 2023 and were posted at the DEQ and at the facility
 11 on November 6, 2023. Only matters appearing on the
 12 posted agenda may be considered.
 13 And if this meeting is continued or
 14 reconvened, we must announce today the time, place
 15 and date of the continued meeting and the agenda for
 16 such continuation will remain the same as today's
 17 agenda.
 18 Now, the most astute observers
 19 amongst you will notice that I am not Mike Paque, I
 20 am Vice Chair Shannon Ferrell. Mike had to be
 21 called out of state, he is helping to organize and
 22 conduct a memorial service for a close family member
 23 of his; so I know that Mike's family would
 24 definitely appreciate your thoughts and prayers for
 25 safe travels and comfort during a pretty difficult

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1 time for them.
 2 Before we begin, I do want to
 3 acknowledge I know we have at least one guest with
 4 us, that's Mr. Jerry Schuber of the City of Broken
 5 Arrow. Jerry, welcome. Thank you for making a long
 6 trek down here to Duncan to see us.
 7 And since we're on that topic, do we
 8 have any other guests that we need to acknowledge
 9 before we move ahead? All right. It's an elite
 10 crowd, I told Jerry he's our most honored guest
 11 today.
 12 Speaking of our venue, we're here in
 13 beautiful Duncan, America. It's a really
 14 interesting place, it's an interesting crossroads.
 15 Of course, not very far from here at all you have
 16 the Chisolm Trail, which was one of the economic,
 17 you know, thoroughfares for our territory and then
 18 our state.
 19 Home of a little energy startup you
 20 might have heard of called Halliburton, which has
 21 moved on to -- down to our neighbor to the south,
 22 but still has a pretty formidable presence here.
 23 And then depending on the route that
 24 you took today, you probably saw a lot of our
 25 burgeoning wind energy industry, and if you were

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1 very eagle-eyed, you might have spotted some of our
 2 growing solar energy industry here in the state, as
 3 well. So we're excited to be in Duncan.
 4 If we don't have any other guests, I
 5 do want to acknowledge people that may have it as
 6 their job to be here, but that doesn't mean we don't
 7 appreciate them making the trek. So for all of our
 8 DEQ staff that made the trip, we appreciate you guys
 9 putting those miles on to help us conduct our
 10 business today.
 11 With respect to safety, this is
 12 probably the easiest safety briefing we've ever
 13 given for a DEQ meeting because the doors are that
 14 way, there's lots of them, and if there's a fire,
 15 just keep going to the outside and you got it. From
 16 a weather safety standpoint, I think the thing we
 17 have to worry about is not tornadoes, but heat
 18 stroke, which is an odd thing to say on November
 19 7th, but it's going to be kind of warm today, so
 20 make sure you take care of that. For your personal
 21 comfort, restrooms are located just down the hallway
 22 behind us here, and drinking water is also available
 23 next to that.
 24 And then, having nothing further, I
 25 think on our agenda -- one thing I did want to talk

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1 about very briefly, which I wanted to highlight as
 2 one of our announcements, is the fact that if you
 3 like EQB, if you like DEQ, and if you'd like the
 4 opportunity to be a part of it, we have several,
 5 several job openings at the agency, not the least of
 6 which is we need a financial and budget coordinator,
 7 an accountant, contracts and procurement specialist,
 8 environmental program specialist, several
 9 engineering interns, and several engineers. So
 10 please spread the word far and wide about those
 11 opportunities because we really need great folks at
 12 the DEQ to continue the very important work of the
 13 agency.

14 And with that, Ms. Fields, would you
 15 please call our roll?

16 MS. FIELDS: Mr. Auer?
 17 MR. AUER: Yes.
 18 MS. FIELDS: Mr. Barton?
 19 MR. BARTON: Yes.
 20 MS. FIELDS: Mr. Easton is absent.
 21 Dr. Ferrell?
 22 DR. FERRELL: Here.
 23 MS. FIELDS: Dr. Hammon is absent.
 24 MR. HIRSHEY: Mr. Hirshey?
 25 MR. HIRSHEY: Present.

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1 MS. FIELDS: Mr. Kinder?
 2 MR. KINDER: Here.
 3 MS. FIELDS: Ms. Kindrick is absent.
 4 Mr. Mason?
 5 MR. MASON: Present.
 6 MS. FIELDS: Mr. Munson?
 7 MR. MUNSON: Here.
 8 MS. FIELDS: Mr. Newman?
 9 MR. NEWMAN: Here.
 10 MS. FIELDS: Mr. Sims is absent.
 11 Mr. Paque is absent.
 12 We have a quorum.
 13 DR. FERRELL: Thank you very much. We'll
 14 move on then to Agenda Item Number 4, which is
 15 approval of our minutes, the minutes for the last
 16 board meeting, which we held on September 12, 2023
 17 in Tulsa, at Tulsa Community College. Those minutes
 18 were available in the board packets, and once
 19 anyone's got a chance to go through and thoroughly
 20 review those, the Chair would entertain a motion to
 21 approve those or make amendments as needed.

22 MR. HIRSHEY: I move to approve those.
 23 MR. NEWMAN: Second.
 24 DR. FERRELL: We have a motion and a
 25 second, any discussion on the motion? Any

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1 discussion?
 2 Seeing none, Ms. Fields, would you
 3 please call the roll?
 4 MS. FIELDS: Mr. Auer?
 5 MR. AUER: Yes.
 6 MS. FIELDS: Mr. Barton?
 7 MR. BARTON: Yes.
 8 MS. FIELDS: Dr. Ferrell?
 9 DR. FERRELL: Yes.
 10 MS. FIELDS: Mr. Hirshey?
 11 MR. HIRSHEY: Yes.
 12 MS. FIELDS: Mr. Kinder?
 13 MR. KINDER: Yes.
 14 MS. FIELDS: Mr. Mason?
 15 MR. MASON: Yes.
 16 MS. FIELDS: Mr. Munson?
 17 MR. MUNSON: Yes.
 18 MS. FIELDS: Mr. Newman?
 19 MR. NEWMAN: Yes.
 20 MS. FIELDS: Motion passed.
 21 DR. FERRELL: Thank you. That moves us on
 22 to Agenda Item Number 5, which is our Rulemaking for
 23 today, and to present on our two rules which we have
 24 for consideration, I believe we have Ms. Lodes from
 25 the Air Quality Division.

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1 MS. LODES: Hello. We have two rulemaking
 2 packages today to bring before you guys. The first
 3 one is OAC 252:100, Subchapter 17, for Incinerators;
 4 Subchapter 23, for Control of Emissions from Cotton
 5 Gins; and Subchapter 35, Control of Emission of
 6 Carbon Monoxide.
 7 The Department is proposing to make
 8 revisions to Subchapters 17, 23, and 35 as part of
 9 the Department's review of Chapter 100 in response
 10 to Governor Stitt's Executive Order 2020-03. The
 11 Department is proposing to correct typographical
 12 errors in citations found in OAC 252:100-17-93, OAC
 13 252:100-17-103, and OAC 252:100-23-3. In addition,
 14 the Department is proposing to correct the reference
 15 to the air quality standard in OAC 252:100-35-1.
 16 The gist of this rule proposal and the underlying
 17 reason for the rulemaking is to revise inaccurate
 18 rule language.
 19 Notice of the proposed rule change
 20 was published in the Oklahoma Register on September
 21 1, 2023. The Department received written comments
 22 from EPA Region 6 prior to the meeting. EPA stated
 23 they had no adverse comments for the portions of the
 24 rules that are part of the State Implementation
 25 Plan, and no comments were received during the

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1 October 4, 2023 Air Quality Advisory Council. The
 2 Council unanimously approved the proposal at its
 3 October meeting.
 4 As Chair of the Air Quality Advisory
 5 Council, I recommend the Board approve the proposed
 6 changes to Chapter 100, Subchapters 17, 23, and 35
 7 as permanent rules.
 8 DR. FERRELL: Thank you, Ms. Lodes. Are
 9 there any questions from the Board?
 10 Seeing none, do we have any questions
 11 from the public?
 12 Seeing none, we have none of those,
 13 the Chair would make a motion to accept the rules as
 14 presented.
 15 MR. KINDER: Jimmy Kinder, so moved.
 16 MR. MUNSON: Second.
 17 DR. FERRELL: Second.
 18 Any discussion on the motion? If
 19 not, Ms. Fields, would you please call for a roll
 20 call vote?
 21 MS. FIELDS: Mr. Auer?
 22 MR. AUER: Yes.
 23 MS. FIELDS: Mr. Barton?
 24 MR. BARTON: Yes.
 25 MS. FIELDS: Dr. Ferrell?

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1 DR. FERRELL: Yes.
 2 MS. FIELDS: Mr. Hirshey?
 3 MR. HIRSHEY: Yes.
 4 MS. FIELDS: Mr. Kinder?
 5 MR. KINDER: Yes.
 6 MS. FIELDS: Mr. Mason?
 7 MR. MASON: Yes.
 8 MS. FIELDS: Mr. Munson?
 9 MR. MUNSON: Yes.
 10 MS. FIELDS: Mr. Newman?
 11 MR. NEWMAN: Yes.
 12 MS. FIELDS: Motion passed.
 13 DR. FERRELL: Thank you.
 14 Ms. Lodes, our second rule, please.
 15 MS. LODES: And the second rule is equally
 16 simple. It is Chapter 100, Air Pollution Control,
 17 Subchapter 2 and Appendix Q, it is our annual
 18 Incorporation by Reference.
 19 The Department is proposing to update
 20 language in Subchapter 2, Incorporation by
 21 Reference, to reflect the new date of incorporation
 22 for Appendix Q, updated as of June 30, 2023. This
 23 proposal is part of the annual update of Title 40,
 24 Code of Federal Regulations, Incorporations by
 25 Reference in Chapter 100, and the purpose of the

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1 update in OAC 252:100, Appendix Q, Incorporation by
 2 Reference, is to update to the latest EPA
 3 regulations. Included are changes or modifications
 4 to 40 CFR, Part 60, New Source Performance
 5 Standards, and Part 63, Emission Standards for
 6 Hazardous Air Pollutants (NESHAP) as well as other
 7 referenced subparts.
 8 This is an annual Incorporation by
 9 Reference by the DEQ. And so we revoke -- the
 10 Oklahoma rules on rulemaking dictate the procedures
 11 for amending rules that have an appendix by revoking
 12 the old and creating an entirely new appendix. The
 13 notice of proposed rule changes was published in the
 14 Oklahoma Register on September 1st of 2023. The
 15 Department received no comments prior to or during
 16 the October 4, 2023 Air Quality Advisory Council
 17 meeting.
 18 The Council unanimously approved the
 19 proposal at its October meeting. As Chair of the
 20 Air Quality Advisory Council, I recommend the Board
 21 approve the proposed Chapter 100-2 and Appendix Q
 22 revisions as permanent.
 23 DR. FERRELL: Thank you, Ms. Lodes. Any
 24 questions from the Board?
 25 Any questions from the public?

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1 Seeing none, the Chair would
 2 entertain a motion to accept the rules as presented.
 3 MR. HIRSHEY: I move that we accept
 4 252:100-2 as stated.
 5 MR. AUER: I will second the motion.
 6 DR. FERRELL: Is there any discussion on
 7 the motion from the Board?
 8 Any discussion from the public?
 9 Seeing none, Ms. Fields?
 10 MS. FIELDS: Mr. Auer?
 11 MR. AUER: Yes.
 12 MS. FIELDS: Mr. Barton?
 13 MR. BARTON: Yes.
 14 MS. FIELDS: Dr. Ferrell?
 15 DR. FERRELL: Yes.
 16 MS. FIELDS: Mr. Hirshey?
 17 MR. HIRSHEY: 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. Newman?
 25 MR. NEWMAN: Yes.

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1 MS. FIELDS: Motion passed.
 2 DR. FERRELL: Thank you very much,
 3 Ms. Lodes.
 4 MS. LODES: Thank you.
 5 DR. FERRELL: Now, for the eagle-eyed
 6 amongst you, I feel it's incumbent on me to point
 7 out that on International Speak Like a Pirate Day,
 8 you should refer to these regulations, specifically
 9 Part 63, Subpart R, arrr, arrr, arrr, arrr, arrr,
 10 for your reference. That actually concludes the
 11 regulatory agenda for today.
 12 That moves us on to reports, which is
 13 one of the favorite things, of course, as a
 14 professor. But our department is required to submit
 15 a report to the legislature and to the Governor,
 16 which is our Environmental Quality Report, and today
 17 that's going to be presented to us by our Deputy
 18 Director, Mr. Rob Singletary.
 19 Mr. Singletary, the floor is yours.
 20 MR. SINGLETARY: Mr. Chairman, Members of
 21 the Board, good morning. For the record, my name is
 22 Rob Singletary and I serve as the Deputy Executive
 23 Director here at the DEQ. As you all probably
 24 recall, we have a statutory obligation to submit an
 25 Environmental Quality Report to the Governor and to

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1 the legislature by January 1st of each year; so we
 2 try and present that to you all for consideration
 3 and approval at the November board meeting.
 4 We have three different components
 5 that we have to include in that Environmental
 6 Quality report. The first is our Budget Request,
 7 the second is the Federal Mandates, and the last is
 8 going to be the Legislative Recommendations. You
 9 should all have a copy of this year's report in
 10 front of you, it looks something like this -- or,
 11 exactly like that.
 12 When it comes to the Budget Request,
 13 this part's easy, it's exactly what Kathy presented
 14 to you at the last board meeting. Because of the
 15 timing of when we have to submit our budget requests
 16 every year, we always bring that to you at the
 17 September meeting; so you guys have already seen all
 18 of this information.
 19 I've got one little typo on there.
 20 It's not a flat general revenue appropriation
 21 request, it's actually about a 5 percent increase,
 22 but the operating expenses request is going to be
 23 just over \$21 million, and then we're asking for a
 24 one-time funding of \$16 million to help replace the
 25 parking garage. As I know Kathy talked about, we

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1 have funding to help with the demolition of the
 2 current garage, but we're going to need some
 3 assistance in replacing that garage.
 4 When it comes to the amount of
 5 funding we're going to get from the feds and from
 6 fees, when it comes to our FY25, obviously, as
 7 always, this is much too early in the process to
 8 have any certainty with those numbers; so we don't
 9 have those. When it comes to where we are in the
 10 FY24 budget, Kathy's going to cover that in her
 11 presentation later today, in just a few minutes. So
 12 she'll let you know exactly where we are, and just
 13 as a preview, we're in pretty good shape right now.
 14 So that's the Budget Request. If
 15 anyone has any questions, I'll be happy to answer
 16 them, but like I said, you've already seen that.
 17 When it comes to Federal Mandates,
 18 some of this you've seen before because they're kind
 19 of ongoing. And this definitely is not an
 20 all-inclusive list, and this is just some of the
 21 highlights, I forget how many tens of thousands of
 22 pages of CFRs EPA publishes every year. So there's
 23 lots of mandates that are going on, but these are
 24 some of the big ones that impact us.
 25 The first one's going to be the ozone

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1 National Ambient Air Quality Standard, or NAAQS. So
 2 the current standard is 70 parts per billion, that's
 3 a three-year average of the fourth-highest
 4 eight-hour value.
 5 This last ozone season, the 2023
 6 ozone season, has been really challenging here in
 7 Oklahoma, and it appears if we had to make a
 8 designation today, Oklahoma City and the Tulsa Metro
 9 Areas would be in nonattainment.
 10 Luckily, we don't have to -- EPA's
 11 not calling for an attainment designation at this
 12 point, but they are looking at -- so, currently,
 13 we're in attainment for all the NAAQS, which is
 14 great when it comes to permitting. It's great for
 15 public health and the environment, but it's also
 16 great for development in permitting. There's PSD
 17 permitting versus the nonattainment new source
 18 review, which is a lot more stringent if we do go
 19 nonattainment, and makes development and expansion a
 20 little more challenging; so we want to avoid that if
 21 at all possible.
 22 A little concerning, at least from
 23 the development standpoint, is going to be EPA's
 24 once again looking at that 70 parts per billion
 25 threshold and considering reducing it, once again

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1 making it tighter. They were planning to do that in
 2 2024, but they've decided to push that back to 2025.
 3 Once they complete that review, we
 4 can pretty much count on the fact that they're going
 5 to make us do another attainment designation. So
 6 unless we get some, you know, really much-lower
 7 emissions numbers or if we get a favorable weather
 8 pattern, we're probably going to be looking at
 9 nonattainment in, you know, the two metro areas.
 10 But we're watching that very, very, very closely.
 11 Kind of the same story with
 12 particulate matter 2.5, that NAAQS, we are in
 13 attainment in all airsheds in Oklahoma, which is
 14 great. Current standard is an annual average of
 15 12 micrograms per cubic meter, and then there's also
 16 a 24-hour standard of 35 micrograms per cubic meter
 17 for PM2.5.
 18 EPA has proposed, back in January of
 19 this year, to tighten that annual average to
 20 somewhere in between 9 micrograms per cubic meter
 21 and 10, and then to retaining the 24-hour standard
 22 and then also the PM10 standards as they currently
 23 exist.
 24 If they do lower that standard like
 25 they're proposing, that will be challenging for

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1 Oklahoma in our attainment status for PM. So far,
 2 we have always been in attainment for all the NAAQS.
 3 So we've got this concern with ozone, now we've got
 4 a concern with PM2.5, as well. If they drop it down
 5 to 10, then the Oklahoma City Metro Area is going to
 6 have issues with attainment. If they drop it all
 7 the way down to 9, then Oklahoma City, the Tulsa
 8 Metro, and Kay County are also going to be in danger
 9 of going nonattainment, as well.
 10 So we're paying very close attention,
 11 along with the Secretary of Energy and Environment's
 12 Office. We did, you know, submit some comments in
 13 -- just on -- not necessarily on the number, but
 14 just how they determine what compliance is or -- and
 15 determine what the values are.
 16 The next one is Regional Haze. This
 17 is one that we've talked about in previous years,
 18 it's kind of ongoing, but just as a quick update.
 19 In 1999, EPA promulgated their regional haze rule.
 20 The goal of that rule - requirement, really - is to
 21 achieve natural visibility conditions in all Class I
 22 areas by 2064.
 23 Every state, including Oklahoma, is
 24 required to submit a long-term strategy and
 25 periodically update that strategy for reducing

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1 visibility-impairing emissions at Class I areas.
 2 Within the state we only have one, Wichita Mountains
 3 Wilderness Area, but also for any Class I areas in
 4 other states that we impact, and they determine that
 5 through modeling and we're supposed to determine
 6 that, as well.
 7 So we have to periodically update our
 8 State Implementation Plan. Just over a year ago, we
 9 submitted our SIP provision for the second planning
 10 period, EPA's determined that it's administratively
 11 complete, and now it's under review; so we're still
 12 waiting on EPA's determination on that.
 13 Okay. This is kind of a very
 14 significant development since the last board
 15 meeting. The Federal Clean Air Act has what is
 16 referred to as a "good neighbor" provision, and that
 17 requires states to prohibit emissions within our
 18 state that significantly contribute to NAAQS
 19 nonattainment in other states.
 20 So back in 2018 - five years ago now
 21 - we submitted our interstate transport SIP, our
 22 good neighbor SIP, related to the 2015 ozone
 23 standard, the 70 parts per billion, we submitted
 24 that. Just last year, EPA had proposed to
 25 disapprove that SIP, and part of the issue there is

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1 when we submitted our SIP, we relied on some
 2 guidance memorandum that was provided by the
 3 previous administration, the Trump Administration.
 4 And then after we submitted our SIP, the new
 5 administration came in and revoked that memorandum
 6 that we relied upon.
 7 And they also used some additional
 8 modeling, different modeling data, in determining
 9 that we had a significant contribution on
 10 nonattainment areas in the Dallas area right down in
 11 Texas. Which, you know, just intuitively, everybody
 12 knows that Texas', you know, impact on our air
 13 quality is vastly more, is a magnitude greater than
 14 ours on theirs, but we're in attainment currently;
 15 so they don't have to take that into account in
 16 their good neighbor SIP, but we do in ours.
 17 So in any event, they went ahead,
 18 they finalized the disapproval of our SIP and then,
 19 very soon after that, finalized the promulgation of
 20 a Federal Implementation Plan not just for us, but
 21 for 26 other states, as well.
 22 We submitted comments all along the
 23 line, we were upset about their proposed disapproval
 24 and promulgation, and then when they -- all through
 25 the process. Us along with the Secretary of Energy

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1 and Environment's Office have worked together and
 2 been very active in our thoughts on this. I think
 3 that first date, I've got it wrong, I think that's
 4 January of 2023 is when they finalized the SIP and
 5 in February finalized the FIP.

6 Luckily, we were able to work with
 7 the Oklahoma Attorney General's Office and they, on
 8 our behalf, challenged the SIP disapproval in the
 9 Tenth Circuit. So before the FIP can go into place,
 10 they've got to finalize the disapproval of the SIP.
 11 So the AG's Office challenged that SIP disapproval,
 12 and the Tenth Circuit granted a request for stay
 13 filed by the AG's Office.

14 So the disapproval is -- that
 15 decision is stayed, and because of that, EPA went
 16 ahead and did an interim rule just last month, or
 17 about a month and a half ago, staying the effective
 18 date of the FIP until the litigation has been
 19 completed. So the whole thing's on a -- kind of
 20 being stayed right now.

21 The impact here is going to be, in
 22 Oklahoma ozone season, NOx trading for our utilities
 23 is going to be reduced by a pretty significant
 24 amount if this FIP goes into place, and there's
 25 going to be new NOx emission limits on natural gas

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1 transmission compressor engines that are over 1,000
 2 horsepower, cement kilns, glass plants, and some
 3 large boilers. And again, this is not related to
 4 air quality in Oklahoma, but this is a significant
 5 contribution that we have down in Dallas or the
 6 Dallas-Fort Worth area.

7 So I think that's the latest on that
 8 one, so we're still kind of waiting to see how that
 9 litigation unfolds. The fact that the court granted
 10 our stay, I mean, one of the components of granting
 11 a stay is the likelihood of success on the merits,
 12 at least that's encouraging, in my book, so we'll
 13 see what happens.

14 The next federal air quality related
 15 mandate I'm going to talk about is the Oil & Natural
 16 Gas Methane Rule. EPA published this back in 2021.
 17 The initial proposal did not include text, but just
 18 had some concepts. We know there's going to be
 19 additional monitoring, new permitting, and then
 20 based on the concepts they provided, there are going
 21 to be somewhere in between 10,000 to 200,000
 22 additional sources that would be subject to this
 23 that aren't currently regulated, that's the
 24 calculation by our staff.

25 So right after that proposal came

Page 23

1 out, we submitted comments expressing concerns with,
 2 you know, the environmental impact versus the amount
 3 of extra regulation that was going to occur and then
 4 just the number of sources, so it's just a
 5 tremendous cost-benefit really is what we were
 6 looking at there.

7 So EPA came back in December of 2022,
 8 just about a year ago, did a supplemental
 9 rulemaking. This time they provided the text, they
 10 provided some -- showed that the NSPS is going to be
 11 for new sources as well as Emission Guidelines for
 12 existing sources. That rule is supposed to be
 13 finalized any time now. Currently we haven't seen
 14 it, but the draft, I believe, is at OMB still; so it
 15 should be coming out pretty soon.

16 I think two more air quality ones,
 17 then I'll move on. This is the 111(d), the Power
 18 Plant Greenhouse Gas Rules. This is the one that
 19 was proposed by EPA back in May of 2023 specifically
 20 related to the power generation sector.

21 It's going to have a NSPS for new
 22 sources, Emission Guidelines for existing sources,
 23 it's going to affect coal-fired units and large
 24 combined-cycle natural gas turbines. It's going to
 25 rely on, as one of the options, carbon capture and

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1 sequestration and hydrogen co-firing as a Best
 2 System of Emissions Reduction, BSER, is going to be
 3 -- that's one way that's going to be -- or, two ways
 4 that will be satisfied.

5 We, along with the Secretary's
 6 Office, once again, back in August, put some
 7 comments together, submitted those to EPA. I had
 8 the opportunity last -- week before last to go to
 9 Salt Lake City, and the architect for EPA, Joe
 10 Goffman, was at a meeting between us and the other
 11 Western States to just talk about the rule and the
 12 impact and, you know, our suggestions of how you go
 13 forward.

14 It doesn't sound like they're -- I
 15 think they feel like they're under a lot of
 16 pressure. They're going to issue a final rule, it
 17 sounds like, in August it's going to come -- or, I'm
 18 sorry, April of 2024. At most, we might get them to
 19 delay the implementation of it, which would be great
 20 because you know it's going to end up in litigation,
 21 and it'd be nice to have that all resolved before
 22 all the resources go into trying to implement it.

23 One of the issues is currently, the
 24 way the proposal is, states have to submit their
 25 111(d) Plan, it's either 18 months or 24 months

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1 after the effective date, and which, I mean, is an
 2 -- that's an incredible turnaround. You get people
 3 with the public involved, if we have to do any
 4 rulemaking, take it before the Air Quality Council
 5 once or twice, get it to the Board, get it to the
 6 Governor, get it to the legislature, I mean, you can
 7 imagine 18 months, I mean, two years, it's just not
 8 practical.

9 Last air quality rulemaking is the
 10 Annual Emissions Reporting Rule that was just
 11 proposed over the summer. This is one that would
 12 expand emissions to include actual mobile sources at
 13 point sources and HAP emissions at all sources. And
 14 some of the HAPs thresholds that they've identified
 15 are so low that you're going to have reporting
 16 requirements from sources that aren't permitted or
 17 may be registered as a permit by rule.

18 So it's going to be a -- it's going
 19 to expand the number of sources, for sure, that are
 20 going to be subject to the reporting rule, it
 21 shortens our timeframe to report emissions inventory
 22 data to EPA, and it also adds some additional
 23 information or data that hadn't previously been
 24 required.

25 And one example is prescribed fire

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1 activity, so we're supposed to quantify that and
 2 have that reported, as well; so you can imagine the
 3 Department of Ag and our wildlife department have
 4 some concerns with that, so we're kind of working
 5 with them. The deadline for comments is actually
 6 coming up, and we're hoping to get those comments
 7 submitted by the end of this week on that ruling,
 8 you know, for -- with a final rule expected sometime
 9 in 2024.

10 Okay. So that's air quality. The
 11 rest of them, we kind of lumped together because of
 12 lot of them -- if it's a water quality issue, it
 13 also impacts ECLS and also the lab, many times, and
 14 with PFAS, that also impacts LPD; so we kind of
 15 throw all the rest of them into one big category.

16 The first one - you guys have seen
 17 this one before - the revised Lead and Copper Rule.
 18 Once again, the initial compliance date for this
 19 rule is next October, for the Lead Service Line
 20 inventories, anyway. EPA has indicated that we're
 21 going to come up with a next stage, available for
 22 review sometime this year. So we're kind of running
 23 close to the deadline there, we anticipate that
 24 coming quickly. It's going to significantly impact
 25 the workload for water quality, ECLS, and the lab.

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1 I mentioned this last year when some
 2 of this was being proposed, and there was a
 3 consulting firm that did a big study for all the
 4 agencies, and for a medium-sized agency like DEQ
 5 here in Oklahoma, they indicated that to implement
 6 this new federal requirement, we'd need to beef up
 7 our staff by 12 to 13 employees. So we know that's
 8 not realistic, but there is going to be an increased
 9 workload.

10 Speaking of an increased workload,
 11 we've got the Bipartisan Infrastructure Law. So
 12 we've always got our DWSRF Base Program to help fund
 13 these huge water infrastructure projects. That base
 14 has gone down a little bit, partly because of
 15 congressionally directed funding and other issues,
 16 but we're sitting at just over \$7 million there.

17 But with the Bipartisan
 18 Infrastructure Law, we also have three additional
 19 sources coming into play now over the next four
 20 years, since we're one year into it. General
 21 supplemental's going to be just over \$30 million;
 22 there's going to be money specific for lead service
 23 line inventories and replacements, right around \$31
 24 million; and then emerging contaminants, there's
 25 another -- just over \$11 million available.

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1 And then the total additional funding
 2 in Oklahoma of around \$20 million for PFAS and other
 3 emerging contaminants for small or disadvantaged
 4 communities. So that's a lot of investment, that's
 5 a lot of permits, a lot of technical assistance, a
 6 lot of just inspections, even, the compliance side
 7 of it, as well.

8 So we have a lot of additional work
 9 on DEQ staff; so we're continuing to staff up. We
 10 have hired some additional engineers and some folks
 11 to help in that program; so we are moving in the
 12 right direction, but we are going to need still more
 13 reinforcements.

14 Other drinking water issues, the
 15 Consumer Confidence Report Rule that was proposed
 16 this last spring, this has to do with the
 17 requirement that public water supplies provide a
 18 consumer confidence report to their users each year,
 19 basically related to their compliance with the Safe
 20 Drinking Water Act requirements.

21 This proposal's going to kind of beef
 22 those requirements up a little bit, some
 23 clarifications, provide translation for customers
 24 with limited English proficiency, there are some
 25 options for electronic delivery.

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1 One big issue is it's going to be
 2 twice a year if you have a big system or a system
 3 over 10,000 folks that are being served or more.
 4 Again, it'll be an increased workload for DEQ staff.
 5 Our staff actually prepares those consumer
 6 confidence reports. They're distributed by the
 7 systems, but our folks help prepare those and get
 8 those ready for distribution by the system.
 9 So it'll be some more work for us
 10 there, but this, all in all, is probably a really
 11 good thing, communication, risk communication,
 12 there's going to be some clarifications in that, so
 13 we'll see. It'll be finalized sometime in the
 14 spring is what we anticipate.
 15 Next up, Microbial and Disinfection
 16 Byproducts Rules. This is one that they've kind of
 17 been kicking the can down the road. They were going
 18 to do this in 2023, now they're saying late 2024,
 19 just to Surface Water Treatment Rule and Stage 1 and
 20 2 Disinfection Byproducts Rule. We'll see what
 21 comes next year, but we haven't seen the proposal
 22 yet, so we don't know all the details, this is just
 23 the categories they've indicated that they're going
 24 to provide some changes to.
 25 That last one there is - again, we

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1 don't have any information, any specifics related to
 2 it, but - EPA's indicated that they're going to
 3 issue a rule for Water System Restructuring
 4 Assessments by the end of 2024, and it's going to be
 5 a requirement on the states to conduct restructuring
 6 or consolidation assessments for systems that have
 7 repeat violations and then to offer incentives for
 8 those systems to go through some kind of
 9 restructuring, whether that be through the DWSRF,
 10 you know, maybe they get scored a little bit higher
 11 for different issues and have more available for
 12 funding and to help with that restructuring or, if
 13 there's enforcement or liability issues, offer some
 14 relief from that as an incentive for that
 15 restructuring, as well.
 16 So you can imagine there's a lot of
 17 smaller systems that probably don't like that idea
 18 of any kind of restructuring; so it'll be
 19 interesting to see what EPA does with this. All we
 20 know is the concept, and it's got our attention; so
 21 we're watching it, we'll see something, again, by
 22 the end of next year is what they're saying at this
 23 point.
 24 Wastewater, this is kind of an
 25 ongoing effort, they've identified several Effluent

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1 Limitation Guidelines that they're going to be
 2 working on. PFAS Manufacturers is one they've been
 3 working on for a while, CAFDs, Steam Electric Power
 4 Generation, Coal-Fired Power Plants, and Meat and
 5 Poultry Processing Plants. When they do come out
 6 with these new ELGs, they often result in stricter
 7 discharge permit limits for the regulated community
 8 and then, as a result, require additional work from
 9 the DEQ, as well.
 10 The only other issues I have are all
 11 going to be related to PFAS. This is a very dynamic
 12 activity going on at the federal level, just in all
 13 kinds of different programs. They're looking at
 14 drinking water, wastewater, a lot of the remediation
 15 and cleanup programs, as well.
 16 When it comes to drinking water, they
 17 proposed an MCL for PFOA and PFOS at 4 parts per
 18 trillion, which corresponds to right about the
 19 detection limit, at this point is what they're
 20 saying that limit, that standard would be. And then
 21 they had four other compounds that are going to
 22 utilize not a hard limit like that, but a hazard
 23 index to determine what their MCL's going to be.
 24 They've taken comments, they are
 25 looking to finalize something early next year,

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1 obviously going to be a dramatic workload increase
 2 for our Water Quality Division specifically, and for
 3 the lab, as well, with technical assistance,
 4 enforcement, permitting, public education, you know,
 5 risk communications, compliance determinations, that
 6 kind of thing; so, really watching that closely.
 7 Also related to the Safe Drinking
 8 Water Act, EPA published, getting close to two years
 9 ago, their UCMR 5, which is the Unregulated
 10 Contaminants Monitoring Rule -- for some reason, I'm
 11 losing the language on that.
 12 This requires -- even though these
 13 aren't regulated contaminants at this point, it
 14 still requires community water systems to test for
 15 29 different PFAS compounds, starting at the
 16 beginning of this year all the way through 2025. So
 17 that effort's already started, our lab has got new
 18 equipment, getting more equipment, and we've
 19 received accreditation for three different PFAS
 20 methods; so we're running a lot of those samples at
 21 the DEQ currently, but that's going to be an ongoing
 22 effort over the next few years.
 23 That's -- so both of those are Safe
 24 Drinking Water Act, the next one's the Clean Water
 25 Act. Last year about this time, EPA issued guidance

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1 to their regional offices that requires for the
 2 NPDES, Section 402 of the Clean Water Act, discharge
 3 permits issued by EPA, they have to include BMPs and
 4 monitoring requirements for PFAS for stormwater GPs
 5 and for individual discharge permits. And if you
 6 happen to detect PFAS in those discharges, there are
 7 some extensive public notice requirements that kick
 8 in at that point.

9 The EPA indicated then that they're
 10 going to be issuing a memo that's going to,
 11 essentially, attempt to require state programs to
 12 include these same kind of conditions in
 13 state-issued permits, but we haven't seen that
 14 memorandum yet.

15 Next, we've got CERCLA. So back in
 16 April of this year, EPA issued an Advance Notice of
 17 Proposed Rulemaking related to making some hazardous
 18 substance designations for PFAS under CERCLA.
 19 Again, this would be PFAS, the PFOA, and the PFOS
 20 are the ones in the proposal.

21 If they finalize this, it's going to
 22 impact our remediation program, may potentially
 23 require an evaluation of some closed sites that have
 24 PFAS contamination that wasn't previously evaluated
 25 because it hadn't been identified as a hazardous

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1 substance when those sites were closed; so it's kind
 2 of that never-ending cycle. But again, that's just
 3 proposed, those have not been finalized yet.

4 Similar situation for RCRA. They
 5 haven't proposed them yet, but EPA indicates this
 6 upcoming year, they're going to propose a new rule
 7 adding four compounds - so PFOA, PFOS, PFBS, and
 8 GenX, all different types of PFAS - basically to
 9 classify those as hazardous constituents, which
 10 would make them subject to corrective action
 11 requirements and permits under RCRA, so kind of the
 12 same thing as with the CERCLA responsibilities.

13 So we've been pretty active. Anytime
 14 there's a proposal, we want to make sure that EPA,
 15 on the record, is considering all the unintended
 16 consequences with any of these activities or actions
 17 it may take. So, every step, we file comments and
 18 engage with EPA just to make sure that that issue or
 19 that idea is in the record.

20 So next up - or last up, I should say - is
 21 Legislative Recommendations. With PFAS -- and with
 22 PFAS, DEQ plans to request a bill that would address
 23 at least some of the issues related to PFAS disposal
 24 in Oklahoma. And one of the things is we'd like to
 25 somehow ensure that manufacturers of PFAS - you

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1 know, DuPont de Nemours, whoever's making the actual
 2 compounds - that they retain, at least under state
 3 law - we can't control federal law, obviously - some
 4 responsibility for improper disposal of PFAS waste
 5 and that they're not simply able to just pass that
 6 liability off to the users and receivers. So that's
 7 one thing we want to look at.

8 The next is also to establish exemptions
 9 from liability for certain passive receivers of PFAS
 10 compounds and/or waste that provide essential public
 11 services. So there we're talking about, like, fire
 12 departments that are mandated that they had to use
 13 AFFF, I mean, if we could provide some kind of
 14 exemptions for them under state and, I mean, we'd
 15 advocate for it under federal law, as well.

16 But also water supplies, wastewater
 17 treatment plants, landfills, as long as they're, you
 18 know, doing -- taking the appropriate steps to make
 19 it -- those discharges or releases to the
 20 environment. You know, the public necessity of
 21 those goods or those services is really important,
 22 we don't want to bankrupt those facilities with PFAS
 23 liability; so providing some kind of exemption is
 24 something we wanted to explore.

25 And then potentially establishing a fee

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1 for disposal of PFAS waste in Oklahoma. And as part
 2 of that, we'd like to also include some kind of - I
 3 mean, we've talked about this at our previous board
 4 meeting - some kind of reciprocity where we can
 5 treat -- if PFAS is classified as a hazardous waste
 6 in another state - not at the federal level, but in
 7 another state - and they try and ship it to Oklahoma
 8 for disposal, they can't just send it to a Subtitle
 9 D landfill and we become the -- you know, the
 10 dumping ground for all these other states that don't
 11 want it in their state, but they ship it to ours.

12 So the idea is if it -- you retain your
 13 classification of where you're generated. So if the
 14 PFAS is generated in New Jersey and it happens to be
 15 a state hazardous waste in New Jersey, when it comes
 16 to Oklahoma, it would stay a hazardous waste and
 17 would have to go to the appropriate disposal site or
 18 be disposed of appropriately.

19 Waste generated in Oklahoma would not
 20 share that, I mean, it would be whatever
 21 classification is here. So if we don't have a haz
 22 waste determination here in Oklahoma for PFAS, then
 23 it wouldn't be. So those are just a couple of the
 24 ideas when it comes to PFAS.

25 The next few are kind of related to our --

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1 certain requirements from OMES have to do with
 2 vehicle ownership and access agreements. We'd like
 3 to request a bill that would allow the agency to own
 4 certain types of vehicles.
 5 Right now, we have to go through OMES to
 6 purchase all of our vehicles, it'd be great if we
 7 could -- or, to utilize vehicles. It would be great
 8 if we could own the trucks that we utilize for
 9 hauling boats or our mobile lab or our air monitors,
 10 those kind of things that are very specific for what
 11 we do and vehicles that aren't as easy to acquire,
 12 it would be nice if we could own those ourselves, so
 13 we wanted support. And there are a lot of agencies
 14 out there, we've got a list of them, that have that
 15 authority and the statute that allowed them to own
 16 their vehicles outright, so we're looking at that.
 17 And then the last one, there's access
 18 agreements right now where we have an access
 19 agreement with a property owner or a facility.
 20 Those are limited to one year, there's contractual
 21 limitations with the state. We'd like to be able to
 22 have that authority in the statute to go beyond that
 23 if we're doing -- working with the property owner to
 24 do some kind of remediation project, sometimes those
 25 will go over several years and there can be a

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1 sizeable investment in putting that into place and
 2 getting it up and running.
 3 We'd like to be able to carry those out
 4 for a little more certainty beyond just one year
 5 because the way it stands now, we have to keep going
 6 back and renegotiating every year, so just to have
 7 that ability to do it in a little bit longer term is
 8 what we're looking for there.
 9 That's all I've got, I'll be happy to
 10 answer any questions.
 11 MR. HIRSHEY: So Rob, on page 7, under
 12 "Miscellaneous", we talked about the 29 PFAS
 13 compounds that are -- that require sampling. When
 14 it's just community water systems, is that a certain
 15 definition? One, is that a certain definition of
 16 size, and then how are those 29 compounds tested?
 17 MR. SINGLETARY: How are they tested?
 18 Well, there is a definition, I believe the community
 19 water system is 25 or more connections.
 20 MR. HIRSHEY: So advised.
 21 MR. SINGLETARY: Have I got that right?
 22 MS. STEELE: I'll have to get back to you
 23 on the exact number.
 24 MR. SINGLETARY: I think it's 25 or more
 25 connections.

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1 MS. STEELE: That's the correct ballpark.
 2 MR. HIRSHEY: So Oklahoma City is not
 3 considered a community --
 4 MR. SINGLETARY: Oh, or above.
 5 MR. HIRSHEY: 25 or above?
 6 MR. SINGLETARY: 25 or above. I'm sorry,
 7 yeah, so it's pretty much all the -- would be all
 8 public water supply systems.
 9 MR. HIRSHEY: Okay. So -- and how is that
 10 testing done? I mean, it's -- knowing that it's
 11 sometimes hard to test for those, how -- I mean, I'm
 12 just curious how is the -- how are these community
 13 systems -- are they testing them on their own or
 14 will a city water department be required to do these
 15 tests and then report them to DEQ?
 16 MR. SINGLETARY: They could. They have
 17 the opportunity -- they can take the samples
 18 themselves; I mean, there are certain protocols.
 19 You have to be super cautious when it comes to PFAS
 20 since we're talking about such small numbers, the
 21 cross-contamination would follow all of that, but
 22 they can go through a private lab to run those
 23 analyses or they can send that to DEQ and we can run
 24 them through our state lab.
 25 MR. HIRSHEY: And this should be happening

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1 right now?
 2 MR. SINGLETARY: Yes, for some -- yeah, it
 3 already is -- it's already going on. Now, is -- I
 4 guess we don't have the lab here, but -- yes, we
 5 have already -- we've started to receive samples,
 6 and they've been analyzed over the last few years,
 7 so it's ongoing now.
 8 MR. THOMPSON: And sampling is occurring
 9 quarterly over, what, three years total, but it's
 10 already being done, so -- something along those
 11 lines, yeah. So the course of the systems are being
 12 tested at a time or scheduled for that at a time.
 13 MR. SINGLETARY: And those first batches
 14 have already started rolling.
 15 MR. KINDER: Rob, the PFAS regulations
 16 coming down from above from EPA, are -- what's the
 17 thought on funding from EPA, have you had those
 18 talks? And of course I'm concerned about the, you
 19 know, funding here for us because it sounds like
 20 we've opened up a whole new area that we're going to
 21 have to monitor and there's going to be a lot of
 22 eyes on and expenses. And so I'm just kind of
 23 curious about what's your thoughts of how that was
 24 going to affect the agency, you know, as we start
 25 implementing these rules, financially.

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1 MR. SINGLETARY: Yeah, we anticipate a
 2 very significant impact on the agency just because
 3 it's across all programs and this is going to be
 4 something that is likely to continue on kind of
 5 indefinitely, but there are no specific funding
 6 streams, additional monies.
 7 We saw some, you know, for small
 8 systems and, you know, some of that pass-through
 9 money going to help systems address the impacts of
 10 contamination they might have or the impact that
 11 they have as a result of other folks' contamination,
 12 but nothing as far as helping to fund the state's
 13 and our ability to implement it.
 14 MR. KINDER: So --
 15 MR. SINGLETARY: Which is not --
 16 MR. KINDER: -- it might be an unfunded
 17 mandate for --
 18 MR. SINGLETARY: Just another unfunded
 19 mandate.
 20 MR. KINDER: -- some mandatory reviews?
 21 MR. SINGLETARY: Yeah, I mentioned there's
 22 tens of thousands of pages of new regs, they usually
 23 don't come with more funding.
 24 MR. KINDER: Thank you.
 25 MR. SINGLETARY: You're welcome.

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1 DR. FERRELL: Rob, going back to the air
 2 quality portion, and this can be a question for you
 3 or for Ms. Lodes. It was my assumption that some of
 4 our ozone issues this summer were obviously weather
 5 related, was that really -- was that primarily the
 6 main cause or were there any other new sources or
 7 increases in existing sources that lead to that?
 8 MR. SINGLETARY: I have not heard of any,
 9 like, significant increases in sources from within
 10 the state of Oklahoma.
 11 DR. FERRELL: But it was hot and it was
 12 humid --
 13 MR. SINGLETARY: It was hot and it was
 14 humid --
 15 DR. FERRELL: -- but nothing really for
 16 ozone?
 17 MR. SINGLETARY: -- and those south winds
 18 out of Texas, you know, they don't have those. We
 19 have had a lot of, you know, development in Texas
 20 and in Oklahoma, you know, but I haven't heard of
 21 any significant -- I mean, I'm sure there's tons
 22 more mobile sources out there that are impacting it,
 23 but as far as stationary sources, there's nothing
 24 really significant, new or online.
 25 The weather does play such a huge

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1 factor. We came pretty close to exceeding it, I
 2 don't know, five, six years ago now, and we were
 3 really fortunate with a couple of really good
 4 seasons, you know, the weather was just right and
 5 got us, you know, back below that threshold again,
 6 but --
 7 MR. MASON: So, Craig, thanks for the
 8 mind-numbing presentations. I have two questions,
 9 and one's for Laura. From an industry perspective,
 10 particularly on this air, what do you think, is my
 11 first question. And then second question,
 12 occasionally we've talked about enough's enough,
 13 we're just going to let EPA have this stuff and
 14 we're not going to do it. Is there any discussion
 15 of that, and then to my question for Laura.
 16 MS. LODES: Yes?
 17 DR. FERRELL: I think Ms. Lodes is asking
 18 for a clarification of your question.
 19 MR. MASON: Who is?
 20 MR. SINGLETARY: Ms. Lodes.
 21 MS. LODES: Yeah, what is my question?
 22 MR. MASON: This is a mind-numbing
 23 presentation from an industry perspective.
 24 MS. LODES: You didn't read the rules,
 25 that was mind-numbing.

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1 MR. MASON: Is it just ridiculous?
 2 MS. LODES: Oh, yeah, absolutely. Yes.
 3 MR. MASON: And correct, has there been
 4 any discussion - we've talked out it before, Scott -
 5 we just say to the EPA, you can have this stuff, we
 6 don't -- we're not going to do it?
 7 MS. LODES: I believe the industry would
 8 prefer for -- to deal with the DEQ and not the EPA,
 9 especially when it comes to inspections and things
 10 like that. It's much more level-headed and
 11 reasonable when we're dealing with the local folks
 12 here than when we're trying to deal with an
 13 ever-changing world out of EPA.
 14 MR. SINGLETARY: And I think from the DEQ
 15 perspective, obviously if it's something we have
 16 real concerns with, whether they're overstepping
 17 their, you know, Constitutional or statutory
 18 authority or it just doesn't make sense, I mean, we
 19 have no problem, either on our own - we've done it
 20 before as an agency - or working with the AG's
 21 Office in challenging them in anything they issue.
 22 But as far as implementation goes, so
 23 even if we lose that, we have to implement it, I
 24 think it's always going to be better to have the
 25 state and the local concerns taken into account in

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1 implementation. We might not be able to change the
 2 substance of what EPA's requiring, but, you know,
 3 maybe we can do the best we can with it, make it
 4 better than.

5 Because when they're coming out of
 6 Dallas, they don't necessarily care a whole lot
 7 about those local impacts, they're looking at just
 8 the standard and don't nearly have the same --
 9 exercise the same discretion or flexibility that we
 10 do at the state level.

11 So I think in almost every case, it's
 12 going to be better if we at least try to do it. And
 13 they can always come in and say they don't like how
 14 we're trying to implement it and over-file and take
 15 something away from us, but I think that would be
 16 preferable than for us just to say, you know, you
 17 guys come in and do it. Because we'd rather them
 18 stay south of the Red River, along with their
 19 emissions, you know, so --

20 MR. MASON: So is there any discussion
 21 about us filing more lawsuits besides the one you
 22 filed over the SIP or combining with other states
 23 that agree with us and filing lawsuits?

24 MR. SINGLETARY: We do quite frequently.
 25 Jennifer, you want to -- she's working on several

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1 things on our behalf.

2 MS. LEWIS: Right. So we're working on
 3 the SIP issue closely with DEQ, and they've been
 4 great to provide information and I think we have a
 5 good partnership on that, and we are prepared to do
 6 similar actions to push back on federal overreach.

7 So I can say, you know, with
 8 certainty that the AG is committed to pushing back
 9 on federal overreach in these types of issues.

10 MS. LODES: I would say right now, Steve,
 11 a huge number of these rules are either closed for
 12 comments or maybe with the OMB or something like
 13 that; so nobody can file on them, I'll say yet,
 14 until some stuff is issued. We've got -- it's
 15 unreal how many, like, I'm tracking that we're
 16 trying to weigh.

17 I do know from dealing with states
 18 that do permitting and they've got more EPA
 19 oversight at the air permitting, it's a much more
 20 onerous process than what we're dealing with here.
 21 And so from the consulting point of view, I'd much
 22 rather just deal with Oklahoma and get the
 23 permitting and stuff like that and us have control
 24 of the rules than to try to deal with we're working
 25 more with EPA. It's just -- it moves so much

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1 slower, they have no concept of speed.

2 MR. SINGLETARY: And this is not, like, a
 3 new -- I mean, this has kind of been an ongoing
 4 effort that we've been engaged in, like, my 20 years
 5 since I've started with DEQ.

6 And sometimes it works out well. I
 7 mean, just recently -- I gave a presentation last
 8 week on WOTUS, and I went back and -- when the Obama
 9 Administration proposed their WOTUS rule back in
 10 2014 and it became the 2015 rule, Secretary Teague
 11 had me write a letter on behalf of the state
 12 arguing, you know, on that, that ended up in
 13 litigation.

14 Then we had another one come up with
 15 the Trump Administration, the Navigable Waters
 16 Protection Rule, which we actually supported the
 17 concepts there. We really pushed hard on Justice
 18 Scalia's decision in that one, a "relatively
 19 permanent" test instead of the "significant nexus"
 20 test came up again, got to draft a letter for that
 21 one. Got to -- a couple letters on the Biden rules
 22 or the federal consultation period, the public
 23 comment period.

24 This whole time there's cases working
 25 up and through the courts and just ultimately, just

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1 this last May, Supreme Court came back and ruled
 2 against EPA and totally in favor of the states, and
 3 the thing that they focused on was that Justice
 4 Scalia's decision in Rapanos, which is the same
 5 thing we have been harping for literally almost a
 6 decade, that's what we -- every one of our letters,
 7 everything we put in there, and sure enough that's
 8 what they ultimately did. So sometimes, you know,
 9 justice prevails and you get the right decision,
 10 just keep fighting it long-term.

11 MR. MASON: Thank you. Keep fighting this
 12 from the agency and the AG.

13 DR. FERRELL: Any other questions from the
 14 Board?

15 Any questions from the public?

16 Mr. Singletary, thank you very much
 17 for presenting that. I know that was a lot of work,
 18 thank you.

19 Since this is the official
 20 legislative, we require the support from the Agency
 21 and the Board. The Chair would entertain motion to
 22 approve the report.

23 MR. KINDER: So move.

24 MR. HIRSHEY: Second.

25 DR. FERRELL: We have a motion to approve

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1 and a second. Any discussion from the Board?

2 Any discussion from the public?

3 Seeing none, Ms. Fields?

4 MS. FIELDS: Mr. Auer?

5 MR. AUER: Yes.

6 MS. FIELDS: Mr. Barton?

7 MR. BARTON: Yes.

8 MS. FIELDS: Dr. Ferrell?

9 DR. FERRELL: Yes.

10 MS. FIELDS: Mr. Hirshey?

11 MR. HIRSHEY: Yes.

12 MS. FIELDS: Mr. Kinder?

13 MR. KINDER: Yes.

14 MS. FIELDS: Mr. Mason?

15 MR. MASON: Yes.

16 MS. FIELDS: Mr. Munson?

17 MR. MUNSON: Yes.

18 MS. FIELDS: Mr. Newman?

19 MR. NEWMAN: Yes.

20 MS. FIELDS: Motion passed.

21 DR. FERRELL: Thank you.

22 That will take us on to Agenda Item

23 Number 7, which is the Executive Director's Report.

24 Mr. Thompson?

25 MR. THOMPSON: Thank you, Mr. Chairman,

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1 I'll endeavor to not make the children next door

2 cry.

3 DR. FERRELL: I sense we had some public

4 opinion from the back.

5 MR. THOMPSON: So, okay, one thing on Air

6 Quality, later this week the agency begins a series

7 of informational meetings to solicit feedback on

8 potential projects for Oklahoma's Climate Pollution

9 Reduction Grant. Grant applicants can include the

10 public, industry, and government entities. We're

11 also partnering with tribes in some of that

12 activity.

13 We're the lead agency for the Climate

14 Pollution Reduction Grant (CPRG). We will work with

15 multiple partners to develop a statewide Priority

16 Action Plan, and so we're going to work on a subset

17 of reports and plans. And, like everything else,

18 currently this was a two-year grant, at least, and

19 states were asking for extensions to that for the

20 planning phase.

21 This administration decided to ask

22 for - even though they just granted these in some

23 states and tribes hadn't received any money yet - to

24 set a deadline for the submittal of the plans for

25 March 1st, to be awarded April 1st. So -- and EPA

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1 staff can't really defend that. Their answer on a

2 national call was, 'Well, it'll look good to try to

3 get it done by then', that's really what's going on.

4 So it's sort of very chaotic, but

5 we're working with lots of partners in the

6 Secretary's Office on -- so, in those efforts.

7 And I think Thursday, November 9th,

8 we'll be in Woodward, and then there'll be a set of

9 meetings across the state. I'm sure that's

10 available on our website or Beverly can get you that

11 information. And Angela Hughes and our Air program

12 are working together in Lloyd's shop to try to pull

13 this all together and get our plan submitted by

14 March 1st.

15 And so, recently, the Air Quality

16 Division also received a Best Practice Award from

17 the Association of Air Pollution Control Agencies,

18 also known as AAPCA. Each year, AAPCA announces

19 Best Practices in Air Pollution Control.

20 And this year, the award was

21 presented to agency programs from Wyoming, Georgia,

22 Oklahoma, and California for their groundbreaking

23 technology, and Oklahoma received the national

24 recognition for developing the Representative Sample

25 Guidance Document (RSG).

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1 The purpose of the document is to

2 streamline the review and acceptance of

3 representative samples used for calculating

4 emissions for Air Quality oil and gas facility

5 permit applications, that the staff worked for

6 several years on this RSG document. Data from

7 hundreds of facilities was examined from various

8 emissions sources throughout the oil and gas sector.

9 Guidance was developed for when a facility-specific

10 sample is required and when a representative sample

11 is acceptable to calculate various types of

12 emissions.

13 And I think that's the kind of

14 example why it's important for DEQ and the state to

15 be in charge of programs because the folks that used

16 to really understand things and that were around as

17 the programs got built and had, you know,

18 understanding of what implementation takes in these

19 kind of programs are mostly gone from the EPA.

20 And so we have a bunch of folks who

21 don't have that kind of experience or knowledge, and

22 they frequently rely on contractors for much of the

23 work, which is fine if you know enough to make sure

24 the contractor's doing it well and giving you valid

25 answers, which is somewhat challenging these days in

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1 some of the programs for the federal government.

2 So in Water Quality, Water Quality

3 Division's Operator Certification received a

4 \$300,000 EPA Exchange Network Grant. The grant will

5 be used to update the operator certification

6 database and modernize the testing system. That's

7 very important. States all across the country have

8 shortages of operators; so the more we can

9 streamline that, make it better and enhance

10 training, the better.

11 Then also in Water Quality, tomorrow

12 Shellie Chard will testify before the Senate EPW, in

13 front of the Public Works Committee. Her testimony

14 will focus on infrastructure funding needs and

15 compliance challenges of small and rural water and

16 wastewater systems.

17 Which we have at least 1,300 drinking

18 water systems, I'm not quite sure; pretty similar

19 number, I would think - or almost that - of

20 wastewater systems. Some of the water systems don't

21 have a major wastewater plant, but anyways.

22 So then I think last time, we

23 mentioned that Karen Steele had won an award, so

24 she's right back there if you want to quiz her about

25 any of the water quality stuff.

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1 So the Land Protection Division

2 provided Stephens County - which is the one we're in

3 - a fiscal year 2024 solid waste grant to reimburse

4 80 percent of the cost to purchase five roll-off

5 boxes for use as citizen collection stations to

6 curtail illegal dumping. It's to be used primarily

7 in the towns of Bray and Central.

8 And last year, DEQ provided the City

9 of Comanche a solid waste grant in the amount of

10 \$8,000 to purchase an industrial composter. The

11 composter was for the City of Comanche Senior

12 Nutrition Center to compost expired or uneaten food.

13 The compost can then be used in the community garden

14 adjacent to the Senior Nutrition Center to grow more

15 food for use at the center.

16 And the more waste that we can keep

17 out of landfills that doesn't really need to be

18 there the better, because we have a -- kind of a

19 finite number of facilities in the state, it's very

20 difficult to permit a new one. And just the, you

21 know, long-term airspace challenges to manage waste

22 is always on our minds.

23 So, historically, we had a cleanup on

24 an old refinery south of town here, near Meridian,

25 and it's been ongoing since 2003. Now, this is a

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1 voluntary cleanup; so this was not an enforcement

2 order. This had been, I think in oil times, a Sun

3 refinery. There might have been a portion of the

4 facility that was owned by Coke, at some time, and

5 Tosco petroleum acquired the facility at some point

6 and then shut it down and kind of walked away from

7 it, more or less.

8 And we were working with Tosco to

9 encourage them to come in and deal with their

10 historical liability, and they got acquired by

11 Phillips, who had worked with us previously on

12 similar refinery cleanups in Okmulgee and couple

13 other places, and so they agreed to work with us on

14 this one.

15 And while these things aren't rapid,

16 we do make a lot of progress, and especially

17 considering the facility was essentially abandoned,

18 walked away from and not maintained. And then I'm

19 sure that a lot of the more-valuable materials were

20 stripped by folks in the interim, when it was kind

21 of not really functional.

22 And so -- and the property was idled

23 in the mid-80's, and the cleanup of acid and caustic

24 refinery wastes had been completed. Substantial

25 public interest was generated during waste

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1 treatment, and several public meetings were held. I

2 attended a number of those, where we had - you know,

3 maybe in this facility, I can't remember where it

4 was, but - we had an auditorium that we had

5 functions with local groups of different sorts and

6 just gave updates on the progress of the plant.

7 And then Phillips wanted to look for

8 some local benefit post in completion of the

9 cleanup. That's what they did in Okmulgee, which

10 was try to create, you know, some local ownership so

11 it didn't benefit some private individual

12 specifically.

13 And in Okmulgee, that's turned into a

14 nice industrial park that has a lot of development,

15 it has a Ford dealer, Tractor Supply, I think a

16 Holiday Inn hotel - a hotel of some sort - and a

17 couple of other businesses on that property, and

18 it's ripe for future development. So there's a

19 potential benefit to any of these cleanups.

20 And so there's an interim remedial

21 action for the remaining southern impoundments, and

22 now that it has been completed, the groundwater

23 cleanup is underway. And that's always the

24 longer-term effort that it takes to kind of keep

25 track of the groundwater and see what you can

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1 realistically do to either manage it or treat it.
 2 And so Stephens County currently plans to utilize
 3 its site for industrial purposes other than those
 4 southern impoundments.
 5 And so, also, our Land Division does
 6 a School Chemical Disposal Program. The staff
 7 completed chemical removals at the Duncan High
 8 School, the Empire High School in Duncan, Velma-Alma
 9 High School, and Central High School in Marlow.
 10 So this program is a one-time service
 11 to Oklahoma public schools to remove unused,
 12 outdated, potentially dangerous chemicals from
 13 school laboratories at no cost to the school. The
 14 goal of this program is to create a safer
 15 environment for the teachers and the kids and other
 16 staff members.
 17 Because, you know, I'm sure some of
 18 you guys remember that there was all these bottles
 19 of different things and unknowns and stuff stacked
 20 up in a closet of the chemistry lab, and half the
 21 time the teachers didn't even know where they came
 22 from.
 23 And we had done this historically a
 24 couple of different times, way, way back. And in
 25 the first round, we had to work with the Military

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1 Department because crystallized picric acid was found
 2 in a laboratory, which is very explosive and
 3 sensitive, and so we were able to remove that from
 4 the school successfully. So we had a partnership at
 5 that point with the Oklahoma Military Department to
 6 help deal with some of the materials, so that worked
 7 well.
 8 But we've continued this on and
 9 updated it some, and our lab usually offers some
 10 advise when we run into something unusual in terms
 11 of how should we deal with this and whether there
 12 are safety concerns, et cetera, and so that's a good
 13 program.
 14 And so the Annual Report is, I
 15 believe, out. And over the past few years, we've
 16 transitioned to an online-only publication, which
 17 saves printing costs. And this year's annual report
 18 is available on our website, and you have a card in
 19 your packet that tells you about where to access the
 20 report.
 21 And at this point, I'm done.
 22 DR. FERRELL: Any questions for Scott from
 23 the Board? Any questions from the public?
 24 MR. KINDER: Scott, I do have a question.
 25 Whenever we have these government shutdowns, how

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1 does that -- you know, we pretty much -- EPA, I
 2 guess, shuts down and there's things that are -- you
 3 know, we've got days or months to get things done
 4 and that puts a stay on that, but I don't know that
 5 it changes the deadlining.
 6 How can that -- how does that affect
 7 or how is that going to affect it, looks like we may
 8 go through another one here, and I'm just kind of
 9 curious about how does that affect the department.
 10 MR. THOMPSON: Well, in some programs not
 11 much because we could still draw down on some funds,
 12 but in other programs, it may have a major effect.
 13 The EPA staff are not allowed to do anything during
 14 those time periods. Even if they would, you know,
 15 work from home or take a phone call or something,
 16 they're barred from doing that.
 17 And so it can be kind of an odd time,
 18 and it's just program by program, issue by issue
 19 that we have to look at and try to deal with. But
 20 for most part, if it doesn't last too long, our work
 21 continues kind of as is. If it were to go a very
 22 long time unresolved, then it would have significant
 23 impacts on us and our ability to deliver services,
 24 so -- and comply with some of these deadlines that
 25 we're getting thrown at us.

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1 DR. FERRELL: Any other questions? I have
 2 a really quick one, and I don't want to put anyone
 3 on the spot, but do we have any employee
 4 recognitions or awards that we need to bring to
 5 anybody's attention that have occurred since our
 6 last meeting? Do you know? Was it quiet on this
 7 front? Usually, we're doing -- we're just knocking
 8 it out of the park.
 9 MR. THOMPSON: For some reason, in the
 10 back of my mind, I think there was something
 11 recently, but --
 12 MS. DIXON: We have a new employee of the
 13 quarter, but we haven't told her yet, we're waiting
 14 to have the celebration.
 15 MR. THOMPSON: Oh, okay. Yeah, probably
 16 shouldn't out that, we'll just wait. Mark
 17 Hildebrand's folks did some stellar work in recent
 18 times. I think we covered that at the last meeting,
 19 though, about a guy who was out at the movies with
 20 his family and got an emergency call, and left the
 21 theater and went and handled stuff and worked over
 22 the weekend and stuff.
 23 We had a couple of folks who did
 24 things like that and so, you know, I think that's
 25 not necessarily uncommon for some of our folks, and

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1 occasionally it doesn't really trickle up to where
 2 we hear it, but we have a lot of dedicated staff.
 3 And anytime there's an emergency event, the lab will
 4 keep people over the weekend or holidays or whatever
 5 if we have to do testing as a result of that, but I
 6 don't think we've had any recent events like that.
 7 But at our -- we will, at our next
 8 board meeting in Oklahoma City, have the employees
 9 of the quarter and the year attend, if they're able
 10 to, unless they're too busy for us. And so -- but
 11 we like to try to get those folks in a meeting to be
 12 recognized in person whenever possible, so --
 13 DR. FERRELL: Well, I think a takeaway
 14 from that and from Rob's report earlier, as well, is
 15 the continuing excellent work that I think the
 16 agency does to vigorously enforce the rules, but at
 17 the same time, have a cooperative relationship with
 18 the regulated community to make sure that everyone
 19 adheres to those rules in the most cost-effective
 20 way possible.
 21 Anyone else have any questions of
 22 Mr. Thompson? Going once, going twice. Very good,
 23 then. Well, that was an informational report; so no
 24 action from the Board is required on that.
 25 And that leads us to our next agenda

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1 item, Number 8, which is our Budget Report from Ms.
 2 Aebischer. Hopefully, your heart rates have
 3 returned to a stable level from the Environmental
 4 Quality Report and now you're ready for the
 5 excitement of the Budget Report.
 6 MS. AEBISHCER: Good morning, I'm Kathy
 7 Aebischer, the Director of Administrative Services.
 8 I'm going to go over the FY24 Budget Status Report.
 9 So revenue for the agency for the
 10 first quarter really looks good this year. Every
 11 division has collected more than at the same time
 12 last year, so that is really good. As a total,
 13 we've collected about 17 percent more when compared
 14 to last year. So revenue is still coming in, we
 15 don't have any concerns with any division, so that's
 16 a good thing at this point.
 17 Expenditures, we're on track. We've
 18 spent a total of \$14 million through the first
 19 quarter, we have \$61 million that's encumbered,
 20 which we have contracts and committed to, and a
 21 balance of \$32 million that we're in the process of
 22 getting contracts on.
 23 One thing to note, we've talked about
 24 the parking garage forever. So, we are at the point
 25 where we have to demolish it. We have an RFP out

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1 that's due this month where we'll get -- what we did
 2 is requested several options.
 3 Because as you know, the only money
 4 that we have is to demolish it, but we did ask for
 5 update costs of building one level to add on at a
 6 later date, two levels, three levels just in case we
 7 get some funding this next legislative session, then
 8 we can continue that.
 9 Right now, we've requested that the
 10 garage be demoed by May of next year, but we don't
 11 have exact dates yet until we review all the
 12 proposals, we'll interview them, and then we can get
 13 some final dates of when that will happen. So
 14 that's something that we'll have some more
 15 information on in the next board meeting.
 16 Sources of funds and total of \$108
 17 million is our budget, we've spent \$14 million, as I
 18 said.
 19 So do we have any questions?
 20 DR. FERRELL: Any questions from the Board
 21 for Kathy?
 22 MR. MASON: I have one comment on the
 23 garage demo. If you would like, the sector -- it
 24 would require a permit from the City for demo and
 25 you have to prove it's non-historical and there's a

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1 structural problem, if you need help with the City,
 2 call me.
 3 MS. AEBISHCER: Good to know, thank you.
 4 DR. FERRELL: Any other questions? Any
 5 questions from the public? Well done. Thank you
 6 very much, Kathy, we appreciate that.
 7 And I told this to Kathy earlier this
 8 week and I want to say it before the meeting, as
 9 well. Being a member of several boards and
 10 organizations, I am constantly impressed with both
 11 the quality and quantity and clarity of the
 12 information that we get from Kathy and her staff.
 13 So Kathy, we appreciate you, and please tell your
 14 staff we appreciate them, as well.
 15 That Budget Report was also
 16 informational; so no action is required from the
 17 Board on that matter.
 18 That takes us to Agenda Item Number
 19 9, which is New Business, any business that was a
 20 matter not known about and which could not have been
 21 reasonably foreseen prior to the posting of agenda
 22 for this meeting. Does anyone have any such item to
 23 bring before the board? Going once, going twice.
 24 Seeing none, that brings us to Agenda
 25 Item Number 10, which is our Next Meeting, which is

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1 currently scheduled for February 13th - which I
 2 believe is a Tuesday - at 9:30 a.m. at DEQ offices,
 3 which I again presume we're going to be in the
 4 multi-purpose room, which is a great facility and
 5 centrally located for a lot of us. So put that on
 6 your calendars, folks, be there or be square.
 7 That's the conclusion of our formal
 8 agenda. Mercifully, for the guy temporarily sitting
 9 in the driver's seat, it was a very short agenda. I
 10 want to thank everyone from the Board for attending,
 11 I want to thank everyone from the public for
 12 attending, our guests and all the DEQ staff, as
 13 well, and we just appreciate the work that you do on
 14 behalf of the citizens of the State of Oklahoma.
 15 With that, the Chair would entertain
 16 a motion for adjournment.
 17 MR. HIRSHEY: So moved.
 18 MR. MUNSON: Second.
 19 DR. FERRELL: It has been moved and
 20 seconded that we adjourn. Any discussion from the
 21 Board?
 22 Any discussion from the public?
 23 Seeing none, we will proceed with a
 24 vote, please, Ms. Field.
 25 MS. FIELDS: Mr. Auer?

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1 MR. AUER: Yes.
 2 MS. FIELDS: Mr. Barton?
 3 MR. BARTON: Yes.
 4 MS. FIELDS: Dr. Ferrell?
 5 DR. FERRELL: Yes.
 6 MS. FIELDS: Mr. Hirshey?
 7 MR. HIRSHEY: Yes.
 8 MS. FIELDS: Mr. Kinder?
 9 MR. KINDER: Yes.
 10 MS. FIELDS: Mr. Mason?
 11 MR. MASON: Yes.
 12 MS. FIELDS: Mr. Munson?
 13 MR. MUNSON: Yes.
 14 MS. FIELDS: Mr. Newman?
 15 MR. NEWMAN: Yes.
 16 MS. FIELDS: Motion passed.
 17 DR. FERRELL: With that, Ladies and
 18 Gentlemen, we stand adjourned.
 19 That then takes us to our public
 20 forum, but very quickly. Do we have anyone who has
 21 registered for the public forum? Anyone for the
 22 public forum? With that, then everyone have safe
 23 travels home, we appreciate you.
 24 (MEETING ADJOURNED AT 10:44 AM)
 25

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C E R T I F I C A T E

1 I, Jenny Longley, Certified Shorthand
 2 Reporter within and for the State of Oklahoma, do
 3 hereby certify that the above and foregoing meeting
 4 was by me taken in shorthand and thereafter
 5 transcribed; and that I am not an attorney for nor
 6 relative of any of said parties or otherwise
 7 interested in the event of said action.
 8 IN WITNESS WHEREOF, I have hereunto
 9 set my hand and official seal this 15th day of
 10 November, 2023.
 11 
 12 _____
 13 Jenny Longley, CSR
 14 CSR # 1903
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OKLAHOMA
Environmental
Quality

**ENVIRONMENTAL QUALITY
BOARD**

Attendance Record
November 7, 2023
Duncan, Oklahoma

<u>NAME</u> and/or <u>AFFILIATION</u>	<u>Address</u> and/or <u>Phone</u> and/or <u>E-Mail</u>
Scott Thompson	DEQ
Sharon Smith	DEQ
Malcolm Zachariah	DEQ
Quana Field	DEQ
Karen Steek	DEQ
Shannon L. Ferrell	EQB
Kathy Aebischer	DEQ
Jonathan Alton	DEQ
Beverly Botchlet-Smith	DEQ
Kelly Dixon	DEQ
Matt Newman	DEQ Board
Mark Hildebrand	DEQ
Lloyd Kirk	DEQ
Michelle Wynn	DEQ
Erin Hatfield	DEQ
Mark Burton	EQB
Ken Hirshey	EQB
Bud Ground	EFO
Jerry Schuber	City of Broken Arrow
Jimmy Kinder	Board
Laura Codes	AQB
JENNIFER BOYLE	DEQ
Steve Mason	DEQ Board
Rob Singletary	DEQ
Tim Mynsor	EQB
Fitch Aeb	DEQ Board
Jennifer Lewis	OAG