

**MINUTES
ENVIRONMENTAL QUALITY BOARD
SEPTEMBER 12, 2023
TULSA COMMUNITY COLLEGE SOUTHEAST CAMPUS
OKLAHOMA CITY, OKLAHOMA**

Official EQB Approved
On November 7, 2023

Notice of Public Meeting – The Environmental Quality Board (Board) convened for a Regular Meeting at 9:30 a.m., at the Tulsa Community College Southeast Campus – Student Success & Career Center Board Room (3rd Floor), 10300 E. 81st St., Tulsa, 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 September 1, 2023 and was posted at the DEQ and the facility on September 11, 2023. Mr. Mike Paque, Chair, called the meeting to order. Mr. Paque talked on safety precautions in case of an emergency and welcomed guests to the Board meeting. Ms. Fields called roll and a quorum was confirmed.

MEMBERS PRESENT

Richard Auer
Mark Barton
John Easton
Shannon Ferrell
Tracy Hammon
Ken Hirshey
Jimmy Kinder
Alexie Kindrick
Tim Munson
Matt Newman
Mike Paque

DEQ STAFF PRESENT

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

MEMBERS ABSENT

Steve Mason
Billy Sims

OTHERS PRESENT

Bud Ground, EFO
Jennifer Lewis, Office of the Attorney General
Jenny Longley, Court Reporter

Approval of Minutes – Mr. Paque called for a motion to approve the February 17, 2023 Regular Meeting Minutes. Dr. Ferrell moved to approve and Mr. Newman made the second.

transcript pages 4 - 5

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Alexie Kindrick	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Matt Newman	Yes
Tracy Hammon	Yes	Mike Paque	Yes
Ken Hirshey	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 or related matters.

transcript pages 6 - 26

Budget Update and Financial Overview (FY 2024) – Mr. Paque called upon Ms. Kathy Aebischer, Chief Financial Officer and Director of Administrative Services of the DEQ. Ms. Aebischer gave a presentation on the FY 2024 budget update.

transcript pages 26 - 35

DEQ Operational Budget Request (FY 2025) – Ms. Aebischer gave a presentation on the DEQ budget requests. The operational budget request for SFY 2025 (beginning July 1, 2024) must be submitted to OMES by October 1, 2023. Following questions and comments by the Board and none by the public, Mr. Paque called for a motion, Mr. Hirshey moved to approve and Dr. Ferrell made the second.

transcript pages 35 – 47

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Alexie Kindrick	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Matt Newman	Yes
Tracy Hammon	Yes	Mike Paque	Yes
Ken Hirshey	Yes		

Employee Disclosures – Ms. Jennifer Boyle, General Counsel of the DEQ, stated the Environmental Quality Code requires DEQ employees involved in reviewing, issuing or enforcing permits to disclose financial interests they hold in entities regulated by the DEQ. The DEQ is required to submit these disclosures to the Board and make them part of the minutes. This is for informational purposes only and no action by the Board is required.

See transcript pages 47

Executive Session – Annual Performance Review of Executive Director – Among the statutory duties of the Board are the responsibilities to appoint and set the compensation of the Executive Director and to assist the DEQ in conducting periodic reviews and planning activities related to the goals, objectives, priorities and policies of the DEQ. In connection with these responsibilities the Board has determined that it should conduct a performance review of the Executive Director. Mr. Kinder moved to go into Executive Session and Mr. Munson made the second. Mr. Barton was designated as the scribe for executive session.

transcript pages 48 – 50

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Alexie Kindrick	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Matt Newman	Yes
Tracy Hammon	Yes	Mike Paque	Yes
Ken Hirshey	Yes		

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

transcript pages 50 – 51

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Alexie Kindrick	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Matt Newman	Yes
Tracy Hammon	Yes	Mike Paque	Yes
Ken Hirshey	Yes		

Mr. Paque called for a motion on a specific action recommendation to the Executive Director's annual performance review. Dr. Ferrell made a motion to increase the salary of the DEQ Executive Director by five percent. Mr. Munson made the second.

transcript pages 51 - 54

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Alexie Kindrick	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Matt Newman	Yes

Tracy Hammon	Yes	Mike Paque	Yes
Ken Hirshey	Yes		

Calendar Year 2024 Board Meeting Dates and Locations – Mr. Paque opened the floor for discussion regarding the Board meeting dates and locations: Tuesday, February 13 in OKC, Tuesday, June 11 in OKC, Tuesday, September 10 in Durant and Thursday, November 7 in Enid. Mr. Barton moved to approve and Dr. Ferrell made the second.

transcript pages 54 - 59

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Alexie Kindrick	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Matt Newman	Yes
Tracy Hammon	Yes	Mike Paque	Yes
Ken Hirshey	Yes		

New Business – None

Next Meeting – The next regular meeting is scheduled for Tuesday, November 7, 2023 in Duncan, Oklahoma.

Adjournment – Mr. Paque called for a motion to adjourn. Dr. Hammon moved to adjourn and Mr. Munson made the second. Meeting adjourned at 12:08 p.m.

transcript pages 60 – 61

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Alexie Kindrick	Yes
John Easton	Yes	Tim Munson	Yes
Shannon Ferrell	Yes	Matt Newman	Yes
Tracy Hammon	Yes	Mike Paque	Yes
Ken Hirshey	Yes		

Public Forum – No public forum issues were raised.

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

<p style="text-align: right;">Page 1</p> <p>1 REGULAR MEETING, DEPARTMENT OF ENVIRONMENTAL QUALITY</p> <p>2 ENVIRONMENTAL QUALITY BOARD</p> <p>3 ON SEPTEMBER 12, 2023</p> <p>4 IN TULSA, OKLAHOMA</p> <p>5</p> <p>6 MEMBERS PRESENT:</p> <p>7 Richard Auer</p> <p>8 Mark Barton</p> <p>9 John Easton</p> <p>10 Shannon Ferrell</p> <p>11 James Kinder</p> <p>12 Matthew Newman</p> <p>13 Mike Paque</p> <p>14 Kenneth Hirshey, Jr.</p> <p>15 Tracy Hammon</p> <p>16 Alexandria Kindrick</p> <p>17 Tim Munson</p> <p>18</p> <p>19 MEMBERS ABSENT:</p> <p>20 Steve Mason</p> <p>21 Billy Sims</p> <p>22</p> <p>23</p> <p>24</p> <p>25 REPORTED BY: Jenny Longley, CSR</p>	<p style="text-align: right;">Page 3</p> <p>1 MS. WILLIAMS: Williams. Thank you.</p> <p>2 MR. PAQUE: Welcome. Any other guests</p> <p>3 here today? We'd like to welcome you. Well, we're</p> <p>4 happy you both are here.</p> <p>5 So the next item, Item Number 3, is</p> <p>6 "Roll Call". Quiana?</p> <p>7 MS. FIELDS: Mr. Auer?</p> <p>8 MR. AUER: Here.</p> <p>9 MS. FIELDS: Mr. Barton?</p> <p>10 MR. BARTON: Here.</p> <p>11 MS. FIELDS: Mr. Easton?</p> <p>12 MR. EASTON: Here.</p> <p>13 MS. FIELDS: Dr. Ferrell?</p> <p>14 DR. FERRELL: Here.</p> <p>15 MS. FIELDS: Dr. Hammon?</p> <p>16 DR. HAMMON: Here.</p> <p>17 MS. FIELDS: Mr. Hirshey?</p> <p>18 MR. HIRSHEY: Present.</p> <p>19 MS. FIELDS: Mr. Kinder?</p> <p>20 MR. KINDER: Here.</p> <p>21 MS. FIELDS: Ms. Kindrick?</p> <p>22 MS. KINDRICK: Here.</p> <p>23 MS. FIELDS: Mr. Mason is absent.</p> <p>24 Mr. Munson?</p> <p>25 MR. MUNSON: Here.</p>
<p style="text-align: right;">Page 2</p> <p>1 PROCEEDINGS</p> <p>2 MR. PAQUE: I'd like to call the</p> <p>3 September 12th meeting of the Oklahoma Department of</p> <p>4 Environmental Quality Board to order. The</p> <p>5 September 12, 2023 regular meeting of the</p> <p>6 Environmental Quality Board has been called</p> <p>7 according to the Oklahoma Open Meeting Act, Section</p> <p>8 311 of Title 23 of the Oklahoma Statutes. Notice</p> <p>9 was filed with the Secretary of State on November 1,</p> <p>10 2022. Agendas were mailed to interested parties on</p> <p>11 September 1, 2023 and were posted at the DEQ and at</p> <p>12 the facility on September 11, 2023. Only matters</p> <p>13 appearing on the posted agenda may be considered</p> <p>14 today.</p> <p>15 If this meeting is continued or</p> <p>16 reconvened, we must announce today the date, the</p> <p>17 time and the place of the continued meeting and the</p> <p>18 agenda for such continuation will remain the same as</p> <p>19 today's agenda.</p> <p>20 I'd like to, before we begin,</p> <p>21 acknowledge we have a few guests here, you can raise</p> <p>22 your hand or just sit quietly, your choice. Cathy</p> <p>23 Gillingham. Cathy? There she is. Welcome.</p> <p>24 MS. GILLINGHAM: Thank you.</p> <p>25 MR. PAQUE: And Corey Williamson. Corey?</p>	<p style="text-align: right;">Page 4</p> <p>1 MS. FIELDS: Mr. Newman?</p> <p>2 MR. NEWMAN: Here.</p> <p>3 MS. FIELDS: Mr. Sims is absent.</p> <p>4 Mr. Paque?</p> <p>5 MR. PAQUE: Yes, here.</p> <p>6 MS. FIELDS: We have a quorum.</p> <p>7 MR. PAQUE: Thank you. Let me take a</p> <p>8 short pause here. Traditionally, if needed by the</p> <p>9 facility we're meeting in, there'll be a safety</p> <p>10 announcement, and we were not asked to have any</p> <p>11 safety announcement. Is there anyone present from</p> <p>12 the college that needs to have a safety announcement</p> <p>13 made?</p> <p>14 Seeing nobody, that's the front door</p> <p>15 and that's the back door, the exit sign. Thank you</p> <p>16 all.</p> <p>17 Item Number 4, "Approval of Minutes".</p> <p>18 Has everyone had a chance to read the minutes of the</p> <p>19 last meeting, on February 17th? Any questions on</p> <p>20 the minutes? Comments? Objections?</p> <p>21 Chair would entertain a motion to</p> <p>22 approve the minutes.</p> <p>23 DR. FERRELL: So moved, Mr. Chair.</p> <p>24 MR. NEWMAN: Second.</p> <p>25 MR. PAQUE: We have a motion and a second.</p>

<p>1 Call the roll, please.</p> <p>2 MS. FIELDS: Mr. Auer?</p> <p>3 MR. AUER: Yes.</p> <p>4 MS. FIELDS: Mr. Barton?</p> <p>5 MR. BARTON: Yes.</p> <p>6 MS. FIELDS: Mr. Easton?</p> <p>7 MR. EASTON: Yes.</p> <p>8 MS. FIELDS: Dr. Ferrell?</p> <p>9 DR. FERRELL: Yes.</p> <p>10 MS. FIELDS: Dr. Hammon?</p> <p>11 DR. HAMMON: Yes.</p> <p>12 MS. FIELDS: Mr. Hirshey?</p> <p>13 MR. HIRSHEY: Yes.</p> <p>14 MS. FIELDS: Mr. Kinder?</p> <p>15 MR. KINDER: Yes.</p> <p>16 MS. FIELDS: Ms. Kindrick?</p> <p>17 MS. KINDRICK: Yes.</p> <p>18 MS. FIELDS: Mr. Munson?</p> <p>19 MR. MUNSON: Yes.</p> <p>20 MS. FIELDS: Mr. Newman?</p> <p>21 MR. NEWMAN: Yes.</p> <p>22 MS. FIELDS: Mr. Paque?</p> <p>23 MR. PAQUE: Yes.</p> <p>24 MS. FIELDS: Motion passed.</p> <p>25 MR. PAQUE: Motion carried. Thank you.</p>	<p>Page 5</p> <p>1 Water Association, in FY23, 29 water loss audits</p> <p>2 were completed. From those 29 audits, approximately</p> <p>3 2 million gallons per year of potential water</p> <p>4 savings -- or, no, 2,000 million gallons per year of</p> <p>5 potential water savings were identified and, you</p> <p>6 know, those were what were estimated to be</p> <p>7 happening.</p> <p>8 And then the cost of these water</p> <p>9 losses identified from the audits was about</p> <p>10 \$3-and-a-half million, or just a little over that.</p> <p>11 Through our partners in the Strategic</p> <p>12 Alliance, primarily the Oklahoma Water Resources --</p> <p>13 I mean, the Oklahoma Rural Water Association, we</p> <p>14 were able to work together to provide technical</p> <p>15 assistance and find solutions for these water</p> <p>16 systems.</p> <p>17 And in total, nine systems have</p> <p>18 received leak detection help from Rural Water,</p> <p>19 where, together, they have identified 61 leaks,</p> <p>20 estimated at 163 million gallons per year. And</p> <p>21 again, the ones that you can actually fix, that's</p> <p>22 stuff that would be ongoing, year to year, if you</p> <p>23 didn't identify it and correct it.</p> <p>24 So of the 61 leaks, 36 of them have</p> <p>25 been repaired by the systems. These repairs have</p>
<p>1 Item Number 5, "Executive Director's</p> <p>2 Report". I'll turn it over to Scott.</p> <p>3 MR. THOMPSON: All right, thank you.</p> <p>4 Yeah, a few announcements.</p> <p>5 Rob Singletary has been named the new</p> <p>6 Deputy Executive Director with Jimmy Givens riding</p> <p>7 off into the sunset, and so he's in that role. But</p> <p>8 he's already goofing off in Alaska at a meeting, but</p> <p>9 I got a little tracker on his phone that said he was</p> <p>10 in Prudhoe Bay yesterday, so apparently there was a</p> <p>11 tour of parts of Alaska or something as part of his</p> <p>12 thing. And it's really the Western States Water</p> <p>13 Council meeting, so I think that will be pretty</p> <p>14 valuable for Rob to be there and make sure</p> <p>15 Oklahoma's values are represented.</p> <p>16 The -- in Water Quality, there was an</p> <p>17 International Low Impact Development Conference</p> <p>18 which was held in Oklahoma City in August, and DEQ</p> <p>19 worked with OU and American Society of Civil</p> <p>20 Engineers to plan and host the conference, and</p> <p>21 topics included watershed applications, integrated</p> <p>22 water management, workforce development, and several</p> <p>23 other topics.</p> <p>24 And then, in the water loss audits</p> <p>25 that we continue to work on with the Oklahoma Rural</p>	<p>Page 6</p> <p>1 recovered an estimated 115 million gallons of water</p> <p>2 per year at an estimated value of \$600,000 per year.</p> <p>3 So -- and in addition to that, some of that stuff's</p> <p>4 going on with some of the national rule changes that</p> <p>5 are coming really fast these days.</p> <p>6 More than 1,300 public water supplies</p> <p>7 now must comply with the EPA's Lead and Copper</p> <p>8 Revised Rule. However, this rule is primarily</p> <p>9 focused on testing for lead in residences and it</p> <p>10 includes minimal provisions for testing in schools</p> <p>11 or daycares.</p> <p>12 To address this issue and to protect</p> <p>13 our children even before this new rule came into</p> <p>14 place, DEQ has offered a program to schools for free</p> <p>15 sampling and testing of drinking water and child</p> <p>16 care facilities.</p> <p>17 And to date, DEQ has enrolled 102</p> <p>18 facilities in this program, and in FY23 we assisted</p> <p>19 20 public schools, 33 daycare facilities with lead</p> <p>20 testing. And currently -- most of the time, it's</p> <p>21 not the actual source of the water that's the issue,</p> <p>22 it's the plumbing and it's the fixtures, you know,</p> <p>23 the faucets or the drinking water fountains, et</p> <p>24 cetera. So, currently, 66 faucets and 21 water</p> <p>25 coolers have been replaced out of this set and 49</p>

<p>Page 9</p> <p>1 fixtures removed from service to help ensure safe 2 drinking water for these schools and daycares.</p> <p>3 A total of 9,089 students and staff 4 at the schools who have had these issues remediated 5 and reduced the lead exposures that could be going 6 on have been positively impacted by this program.</p> <p>7 In our Land Protection Division, work 8 at Tar Creek is ongoing. For FY23: sampled 239 9 residential properties in high access areas; cleaned 10 up 24 residential properties by removing more than 11 2,700 tons of lead-contaminated soil; partnered with 12 HUD's Office of Native American Programs and 13 provided sampling to six federally recognized tribes 14 applying for HUD funding; and cleaned up 25 acres of 15 land and hauled approximately 167,000 tons of 16 marketable chat to processors and approximately 17 268,000 tons of lead-contaminated material to the 18 Central Mill Repository for long-term management 19 disposal; and we have two passive treatment systems 20 that have treated roughly 138 million gallons of 21 contaminated water and removed approximately 22 74,000 kilograms of iron, zinc, lead, and cadmium.</p> <p>23 Much of this work, the lead removal 24 program with -- is being worked in conjunction with 25 the Quapaw Tribe of Oklahoma, and they're doing the</p>	<p>Page 11</p> <p>1 professor on that, and we've been working with him 2 for many years, and it's -- I don't know if it still 3 is, but at the time we started this project, it was 4 the largest-in-the-world treatment to try to use 5 passive treatment systems to manage acid mine 6 drainage and to remove metals from the surface 7 water.</p> <p>8 So we're also working to increase 9 efficiency in the Radiation section, and we've 10 implemented electronic application and payment 11 systems for Industrial Radiography, and this will 12 eliminate having to submit hard copies and help 13 staff save time, the payments will be received 14 quicker, and applications will be processed more 15 quickly.</p> <p>16 In our Solid Waste section, they 17 received a \$652,000 Solid Waste Infrastructure 18 Recycling Grant, and this will be used to complete a 19 statewide waste composition and recycling study.</p> <p>20 Our Air Quality folks, they've been 21 working on a Lean Pilot Project, which is going very 22 well. This is in the inspection programs, and the 23 goal is to complete full compliance evaluation 24 reports and submit these reports to the company 25 within 135 days, at least 90 percent of the time.</p>
<p>Page 10</p> <p>1 actual construction work on most of this removal, 2 and then the work in the residential yards is 3 primarily being handled by our staff, and I assume 4 by a contractor that we use to remove the material 5 from the yards and manage it.</p> <p>6 And so this partnership with the 7 Quapaw Nation's been going on basically 10 years, 8 and it's the only example in the whole country of a 9 tribe that's actually doing the construction work on 10 a Superfund site, and so -- and we work together 11 very well. They manage as much as they can in terms 12 of the dig-and-haul part of the project and managing 13 the materials repository, and then our folks 14 concentrate on sampling and assessment and then 15 identifying the issues at the residential 16 properties.</p> <p>17 Some of the property, the six -- the 18 properties that we targeted with HUD, were 19 designated for future housing projects by some of 20 the tribes, and so we were in there, making sure the 21 properties were clear beforehand. So that has gone 22 very well.</p> <p>23 And, you know -- and the passive 24 treatment systems are a project with the University 25 of Oklahoma. Bob Nairn, in particular, is the lead</p>	<p>Page 12</p> <p>1 And, you know, I hate to say it, I'm 2 not going to tell you what the original number is 3 because really I don't remember what it is, but it's 4 quite a bit higher than that, and so this is a vast 5 improvement. And some of the Air folks almost -- 6 you know, they got stressed out a little bit when I 7 said aim for 90 days, but we'll probably get there.</p> <p>8 So -- because it's -- you know, the 9 air inspections are kind of detailed and cumbersome 10 and take a while for people to sort through and 11 identify what the issue is, but the quicker we can 12 get the information to the facility, the quicker 13 they can address whatever concerns are identified, 14 and so that's always our goal.</p> <p>15 So the implementation of Lean, which 16 we started in February with Air, is already helping 17 staff achieve this goal. And I attended some of the 18 sessions where the staff was working on this and 19 they showed me some of their progress so far, and 20 again, once you get staff to understand what it is 21 that -- how this process works and especially their 22 role in it, they really get, you know, motivated and 23 enthusiastic and really get going.</p> <p>24 And so that's very positive, and I'm 25 sure this will lead to other projects within Air and</p>

<p>Page 13</p> <p>1 other programs. And so we've been, you know,</p> <p>2 modeling that, having the folks from other divisions</p> <p>3 come in and watch and see how they're doing it, how</p> <p>4 it's working, and that helps them understand the</p> <p>5 process better, and I just think it is absolutely</p> <p>6 the way to go in the future.</p> <p>7 And so, you know, a big part of that</p> <p>8 is using the visual management boards up on the</p> <p>9 wall, currently. We'll eventually have to switch</p> <p>10 over to digital, but regardless, it helps everybody</p> <p>11 see where they're at, it helps managers understand</p> <p>12 where things are at and what they can focus on to</p> <p>13 keep things moving, so...</p> <p>14 And so as of August 31st, for FY23 we</p> <p>15 had 7.82 percent complete inspections, I guess; for</p> <p>16 FY24 we had -- at the same date, we had 15.76</p> <p>17 complete. So we've about doubled the number of</p> <p>18 inspections we're able to get done in essentially a</p> <p>19 month or two months.</p> <p>20 And so we also compared those numbers</p> <p>21 of completed -- of violations documented and sent to</p> <p>22 the facility within our Lean goal of 135 days, and</p> <p>23 based on inspections between July 1 and August 31st.</p> <p>24 In FY23, apparently we didn't get any out in that</p> <p>25 timeframe, that were conducted that year, and</p>	<p>Page 15</p> <p>1 The Sustainability Alliance is only the second</p> <p>2 nonprofit in Oklahoma to achieve this accreditation,</p> <p>3 so that's a great accomplishment, so congratulations</p> <p>4 to you and your folks.</p> <p>5 So -- and Karen Steele -- and she's</p> <p>6 back there, if you want to corner her later -- our</p> <p>7 Assistant Director of Water Quality, will graduate</p> <p>8 from the Water Leadership Institute on October 1st.</p> <p>9 The institute uses an extremely competitive</p> <p>10 application process and is an intensive program that</p> <p>11 allows participants to engage in management training</p> <p>12 and leadership development, uses a blended learning</p> <p>13 approach that includes examination of complex</p> <p>14 challenges facing the water and wastewater</p> <p>15 industries and networking with public and private</p> <p>16 sector practitioners.</p> <p>17 Karen is the first regulator to</p> <p>18 complete this intensive program and only the third</p> <p>19 Oklahoman to do so, and a member of our Water</p> <p>20 Quality Management Advisory Council, Mary Elizabeth</p> <p>21 Mach, was the first, and then second was our board</p> <p>22 member Ms. Alexie Kindrick; so Karen's third, so</p> <p>23 that's not bad. So, you know, I think that will</p> <p>24 tell you that we have quality folks on our councils</p> <p>25 and our board, which is our goal.</p>
<p>Page 14</p> <p>1 through visual management we helped create a more</p> <p>2 consistent flow, in FY24, we had 100 percent of the</p> <p>3 inspections conducted between July 1st and</p> <p>4 August 31st out back to the facility within that</p> <p>5 timeframe, so that is a significant improvement.</p> <p>6 And part of our agency and employee</p> <p>7 recognition -- well, Ms. Williams is here. The</p> <p>8 Tulsa nonprofit The Sustainability Alliance received</p> <p>9 the Seal of Excellence from the Oklahoma Center for</p> <p>10 Nonprofits, and we are a member of that and we work</p> <p>11 with them on evaluating ourselves and our processes,</p> <p>12 and we help them in whatever way we can.</p> <p>13 So they're a nonprofit that is</p> <p>14 sponsored by both the Secretary of Energy and</p> <p>15 Environment and the DEQ, providing education, tools,</p> <p>16 and resources to businesses and citizens to help</p> <p>17 them become more sustainable. And I can say that</p> <p>18 they are very popular up here in Tulsa with the</p> <p>19 business sector where they started, and I think</p> <p>20 that's moving statewide, and our own Matt Newman has</p> <p>21 been a big participant and a cheerleader for this</p> <p>22 process.</p> <p>23 So the Seal of Excellence Award is</p> <p>24 awarded to entities who complete a rigorous</p> <p>25 Standards for Excellence accreditation program, and</p>	<p>Page 16</p> <p>1 And a couple of side stories about</p> <p>2 how things really work out there for our county</p> <p>3 folks, we had Jay DeJarnett in ECLS, he was on</p> <p>4 annual leave and had just settled in to watch a</p> <p>5 movie and eat popcorn, and I think at a theater, and</p> <p>6 he received a call about a small town, Francis, who</p> <p>7 had run out of water. And I think he was there with</p> <p>8 his wife or family or something, and he left the</p> <p>9 theater, took the call, immediately drove to Francis</p> <p>10 to assist with the crisis, and was -- you know, did</p> <p>11 a stellar job of trying to handle that, understand</p> <p>12 what was going on, and spread the information around</p> <p>13 to everybody.</p> <p>14 I don't know whether he made it back</p> <p>15 to pick up his family at the end of the movie.</p> <p>16 Mark's saying no; so apparently they were able to</p> <p>17 make other arrangements for transportation or</p> <p>18 something.</p> <p>19 So -- and then James Barnett, in</p> <p>20 ECLS, assisted GRDA and the Wildlife Department</p> <p>21 staff investigating a fish kill on the Town Branch</p> <p>22 Creek, a tributary of Illinois River.</p> <p>23 This was on a Friday afternoon, and</p> <p>24 the temperature was 102 and later reached 106. And</p> <p>25 Ed Fite -- many of you know him, he now works for</p>

<p style="text-align: right;">Page 17</p> <p>1 GRDA, but he's run the Scenic Rivers program in 2 Oklahoma forever, and he's someone we know well - he 3 was very complimentary and said that Mr. Barnett was 4 top drawer and he walked every step of the stream 5 reach, and they didn't leave the site until after 6 9:00 p.m., I guess, and James had to cancel the rest 7 of his plans with his family that evening.</p> <p>8 So, you know, that's the kind of 9 stuff that happens all the time, and much of the 10 time we kind of know these folks handled something, 11 but we don't always stop and pay attention to the 12 details.</p> <p>13 But that's not really uncommon for a 14 lot of our staff, and if there's something that 15 requires us to have laboratory analysis over the 16 weekend, even holiday weekends, some of our lab 17 folks will stay late or come in on a weekend to be 18 ready to analyze samples when they show up. So 19 that's just part of being at DEQ and functioning the 20 way we do and having to deal with, essentially, 21 emergencies or significant situations that arise 22 kind of unexpectedly.</p> <p>23 And so that concludes my report for 24 this morning. If there are any questions about 25 anything, I'd be happy to take them.</p>	<p style="text-align: right;">Page 19</p> <p>1 and some of the things that we have to do with 2 disinfection can cause a corrosive environment and 3 cause metals to leach out that wouldn't have 4 historically been detected at these levels before.</p> <p>5 And so it's very complicated, and the 6 cities, for the most part - I think this holds true 7 in other parts of the country, as well - don't have 8 the authority to really do things on the private 9 side. So you have this crazy -- their response, 10 'Well, we have to get the testing on the private 11 side', and then try to identify what that means, and 12 it's complicated.</p> <p>13 But Karen, can you fill in any blanks 14 or details about what's required in this current 15 round and by when?</p> <p>16 MS. STEELE: Well, that is an excellent 17 summary, in a nutshell. I can get you more of the 18 details afterwards, it's a fairly complex situation 19 that -- yeah, I can provide additional details 20 afterwards.</p> <p>21 MR. HIRSHEY: Great, I just -- it would 22 just be nice to understand a little bit about what 23 the city's responsibilities are, what EPA has 24 dictated to be done, and what on the private side.</p> <p>25 MR. THOMPSON: And, you know, one of the</p>
<p style="text-align: right;">Page 18</p> <p>1 MR. HIRSHEY: Scott, you mentioned the EPS 2 Lead and Copper program. Can you elaborate a little 3 bit on that, how it affects each city, what the 4 requirements are, what's the timing on that?</p> <p>5 MR. THOMPSON: Well, Karen may have to 6 fill in the details for me, but you know, the key 7 thing about this Lead and Copper program, I think 8 the last version and this version, is that it puts 9 the burden for the private side of the meter for the 10 plumbing and stuff on the city.</p> <p>11 It -- the city has responsibilities 12 for their side and testing for lead and copper, et 13 cetera, but many of the issues we identify are 14 because -- theoretically because of lead piping. We 15 may have some of that on the private side of the 16 meter, but not as much as older parts of the country 17 would, but still there are a few that may have that.</p> <p>18 And then we have, of course, old lead 19 sauter was used in a lot of the older plumbing in 20 residences, and maybe the fixtures that are 21 acquired, especially if they're built in another 22 country, they could be a source of lead 23 contamination or copper.</p> <p>24 And then with the changing 25 requirements by EPA for water treatment frequently</p>	<p style="text-align: right;">Page 20</p> <p>1 key things is EPA is throwing money out there and 2 really putting it in the headlines and stuff, but -- 3 like, they've put a lot of the dollars out to assess 4 lead service lines, but some of the newest rules 5 haven't kicked in yet, and so it's the 6 cart-before-the-horse state, so people aren't geared 7 up and ready to do things.</p> <p>8 And really, to try -- I mean, you 9 know, you can do some testing, but you may not see 10 whether there's a lead service line from the 11 testing, you may not see excess levels of lead in 12 the water column, and so you have to physically dig 13 it up and look at it.</p> <p>14 And there may be a few systems that 15 were ready to go, but EPA puts this money out there 16 and pushes it through the revolving loan fund. And 17 so I think if -- I don't -- I think the case is we 18 have to give it to someone who has a loan, right? 19 It has to be in conjunction with a loan, the way 20 it's set up.</p> <p>21 Now, we may work to try to fix that, 22 and then they put timeframes on it so that even 23 though this monies on the table, nobody's ready to 24 pick it up, and we can't ask for extensions unless, 25 you know, we identify the actual projects that are</p>

<p style="text-align: right;">Page 21</p> <p>1 kind of ready to go and might go into next year.</p> <p>2 And there's another set of funds that</p> <p>3 are like that. PFAS, looking at PFAS because</p> <p>4 they're pushing all these future drinking water</p> <p>5 standards on perfluorinated compounds, but they're</p> <p>6 putting the money out there too early, nobody's</p> <p>7 ready to go.</p> <p>8 And we're just now getting the first</p> <p>9 quarter's data for the testing under what's called</p> <p>10 the Unregulated Contaminant Monitoring Rule Number</p> <p>11 5, where the EPA is putting some money out there and</p> <p>12 we're testing - they are testing and we are testing</p> <p>13 - some of the drinking water systems above a certain</p> <p>14 population - basically, most of them - to determine</p> <p>15 what kind of PFAS levels they may have, and we're</p> <p>16 just seeing a very tiny number of hits at</p> <p>17 questionably low numbers.</p> <p>18 They're reporting detections that are</p> <p>19 essentially below their detection limit or an extra</p> <p>20 significant digit beyond what they list as their</p> <p>21 detection limit; so that's a little odd in terms of</p> <p>22 whether that's real, but we're just seeing a tiny</p> <p>23 number of those.</p> <p>24 Again, the cities aren't -- this</p> <p>25 isn't being rolled out in a logical manner, in a --</p>	<p style="text-align: right;">Page 23</p> <p>1 their meters or do they have some guidelines that</p> <p>2 say, well, if these meters in residences are -- have</p> <p>3 been constructed after a certain date after lead</p> <p>4 piping was no longer allowed, are they excluded?</p> <p>5 Is there -- does the guideline</p> <p>6 clearly depict how the city's supposed to implement</p> <p>7 this program, and is it only through funds? Are</p> <p>8 they supposed to be able to use funds through that</p> <p>9 revolving loan program?</p> <p>10 MS. STEELE: They have put the cart before</p> <p>11 the horse, and a lot of those questions do not yet</p> <p>12 have clear answers, and we're working on figuring</p> <p>13 that out, as well.</p> <p>14 MR. HIRSHEY: I'll wait.</p> <p>15 MR. THOMPSON: My interpretation is they</p> <p>16 haven't given us that level of detail because they</p> <p>17 haven't thought it through. So, you know, hopefully</p> <p>18 it will come back with grounds for this, but any of</p> <p>19 that money that goes back on the table, in the old</p> <p>20 days the agent could reprogram it and redistribute</p> <p>21 it, you know, to do real things within this area,</p> <p>22 within the six states or five states, and so these</p> <p>23 days it all just goes back to headquarters.</p> <p>24 MR. PAQUE: Where's the money go?</p> <p>25 MR. THOMPSON: I don't know. Who knows.</p>
<p style="text-align: right;">Page 22</p> <p>1 timeline-wise, and so we're having to turn some of</p> <p>2 this first round of money back because we don't have</p> <p>3 systems that have real projects ready to go,</p> <p>4 especially -- and that money is definitely tied</p> <p>5 directly to loans. So it's not available for</p> <p>6 systems that don't have loans through the revolving</p> <p>7 loan program, which is nonsensical because everybody</p> <p>8 needs this money, and we could put it to use if it</p> <p>9 was out there and we could grant it directly to</p> <p>10 systems and they could gear up and do the work right</p> <p>11 now for lead and copper and for PFAS.</p> <p>12 And so it's -- the people that are</p> <p>13 pushing this and getting all the headlines about how</p> <p>14 many dollars they're putting on the table are not</p> <p>15 paying any attention to how things actually work and</p> <p>16 flow, and especially in timelines. Many of the</p> <p>17 timelines they set for some of the money they put</p> <p>18 out there are so short that you can't deliver a</p> <p>19 quality assessment and propose stuff based in detail</p> <p>20 on a realistic, you know, approach on how to use</p> <p>21 future funds to actually fix things well, so --</p> <p>22 MR. HIRSHEY: Well, I know Karen is</p> <p>23 supposed to give more information, and I'd be glad</p> <p>24 to look at that, but one of the questions is, is the</p> <p>25 current program requiring cities to inspect all of</p>	<p style="text-align: right;">Page 24</p> <p>1 It goes into a void, as far as we know.</p> <p>2 MR. PAQUE: Is there a pool at EPA from</p> <p>3 state revolving funds? I know it's appropriated</p> <p>4 money. Does it go back into that larger pool, some</p> <p>5 other state, some other -- some of those funds?</p> <p>6 MR. THOMPSON: We don't know.</p> <p>7 MR. PAQUE: You don't know? Black hole.</p> <p>8 MR. THOMPSON: Yeah, at this point; we may</p> <p>9 find out.</p> <p>10 MR. PAQUE: Okay.</p> <p>11 MR. THOMPSON: It's not available to</p> <p>12 Region 6 to redistribute.</p> <p>13 MR. PAQUE: Yeah, that's right. Thank</p> <p>14 you, Scott.</p> <p>15 Any other questions from the board</p> <p>16 members on Scott's presentation?</p> <p>17 Matt?</p> <p>18 MR. NEWMAN: Not a question, but a comment</p> <p>19 to continue to be the cheerleader for The</p> <p>20 Sustainability Alliance. We've got three</p> <p>21 Secretaries of Energy and Environment that have</p> <p>22 supported this nonprofit, I've had the honor of</p> <p>23 serving on their board, historically, for quite a</p> <p>24 bit of time and the DEQ's support of this nonprofit.</p> <p>25 Their attaining that very high-level</p>

<p>Page 25</p> <p>1 accreditation from the Oklahoma Center for 2 Nonprofits is impressive, and as I've told Fenton 3 Rood many times in the past and Patrick Riley and 4 you know, Scott, this is an example of the DEQ's 5 investment in proactive, friendly, grassroots, 6 impactful programs as opposed to complaints, you 7 know, enforcement, contentious public meetings. 8 And I believe The Sustainability 9 Alliance has reached over 90 different companies and 10 nonprofits and have saved the members that have 11 participated in their Scorecard over \$10 million 12 now, \$10 million in energy savings, recycling 13 changes, basically focused on -- focusing on 14 sustainability as a capitalistic solution, which is 15 fine because that's part of the people, profit, 16 planet. 17 So just, you know, kudos to the 18 Department of Environmental Quality and our 19 Secretary of Energy and Environment in supporting 20 organizations like this. Thank you. 21 MR. PAQUE: Thanks, Matt. 22 Any other comments by the Board? 23 Questions? 24 Well, thank you, Scott, that was a 25 lot of detail. Could you go over all of those</p>	<p>Page 27</p> <p>1 those funds into this fiscal year, so it's not 2 really a decrease, it's just the timing of carryover 3 funds. 4 So I'm going to go through each 5 division and the status of their budget. 6 Air Quality, their Revenue 7 Projections are estimated to be approximately 8 \$459,000 more than what was projected last year. 9 That's a really good thing, their revenue was going 10 down, so good thing for FY24. They ended the year 11 in '23 about 4 percent higher than their 12 projections. They collected \$12,500,000. 13 Air Quality Total Funds for their 14 Budget, Revolving Funds \$12,498,000; they have about 15 a Reserve of a little over \$3 million; Federal 16 Grants of \$2.4 million; VW Settlement Funds of \$1.4 17 million; Total Funds of \$19,421,000. 18 And the distribution of their funds, 19 their Budget is \$15,540,000; ECLS doing Air 20 projects, \$569,000; the Lab doing Air projects, 21 \$185,000; and Indirect Costs of \$3.2 million. 22 Their Overall Budget, when compared 23 to '23, is about \$1.9 million less, but as I said, 24 we'll be carrying over the remaining federal funds 25 and their VW funds once the invoices are completed.</p>
<p>Page 26</p> <p>1 numbers again for us? All right. Thank you, good 2 job, appreciate it. 3 Item Number 6, "Budget Update and 4 Financial Overview" for 2024. Kathy? 5 MS. AEBISCHER: Yes, good morning, 6 Mr. Chairman, Members of the Board. I'm Kathy 7 Aebischer, Chief Financial Officer and Director of 8 Administrative Services for DEQ, and this is the 9 time of year that we go over more detail of the 10 agency's budget, so I'll get to it here. 11 So in FY24, State Appropriations, we 12 received a 5.2 percent increase, or \$1,062,000. We 13 requested \$20 million in the parking garage, we were 14 not given that, but we did receive \$531,000, and 15 that was for seven additional FTEs in Water, with 16 some more engineers, which is really needed. 17 We also received an additional 18 \$531,000 to go toward demoing the parking garage; so 19 that will be about less than half the cost to tear 20 it down. We're in the process right now of getting 21 a contractor, and then we'll see how far we can go. 22 And if we look at the agency's 23 overall budget compared to FY23, we have about \$1 24 million less, but we have some revisions in process. 25 Once all the invoices are in, then we'll transfer</p>	<p>Page 28</p> <p>1 We are anticipating doing a revision in October. 2 We were able to do a 5 percent 3 increase for staff; so you'll see that Salaries and 4 Compensation is greater than the previous year with 5 each of the divisions, so we're very happy to be 6 able to do that. 7 Land Protection, Revenue projections 8 are estimated to be about \$200,000 less than 9 previous year; FY23 Collections ended about 10 1 percent higher than projections; they collected a 11 total of \$14,112,000. 12 Land Protection Total Funds in 13 Revolving Funds about \$13,712,000; Reserve Carryover 14 from previous year, \$915,000; Federal Funds, 15 \$10,462,000; Total Funds of \$25 million. 16 Land's FY24 Budget is \$21 million; 17 ECLS doing Land projects of \$911,000; the Lab, 18 \$570,000; and Indirect Costs of \$2.5 million. 19 If we look at their budget and 20 compare it to last year, it's \$3 million less, but 21 the same with Land, we had a lot of federal funds 22 we'll be carrying over and doing a budget revision; 23 so it looks worse than it is, it's not that bad. 24 It's typical we wait on invoices so that we know 25 what's remaining to carry it over.</p>

<p>Page 29</p> <p>1 If we look at Water Quality, their</p> <p>2 Revenue projections, they're estimating a level; so</p> <p>3 the same, \$9 million. Their Collections for '23 was</p> <p>4 almost 7 percent higher, for a total of \$9.6</p> <p>5 million.</p> <p>6 Total Funds for Water Quality,</p> <p>7 Revolving Funds of \$9 million; Reserve from the</p> <p>8 previous year of \$3 million; Federal Funds of \$6.4</p> <p>9 million, State Appropriations of \$14,745,000; Total</p> <p>10 Funds Available, just over \$33 million.</p> <p>11 Water Quality's Budget is</p> <p>12 \$28,103,000; ECLS doing Water projects, \$1.3</p> <p>13 million; the Lab doing Water projects of \$668,000;</p> <p>14 and Indirect Costs of \$3.2 million.</p> <p>15 If we look at their Budget, you'll</p> <p>16 notice salaries really went up, \$1 million, but if</p> <p>17 you remember, they received \$531,000 in additional</p> <p>18 State Appropriations for seven positions, and then</p> <p>19 the remaining is the 5 percent raise. So Total</p> <p>20 Budget is \$791,000 more than the previous year.</p> <p>21 They will also have some federal funds carrying over</p> <p>22 with a budget revision.</p> <p>23 ECLS, they're projecting about</p> <p>24 \$11,000 less than FY23. They ended '23 very good,</p> <p>25 they collected 34 percent over their projections.</p>	<p>Page 31</p> <p>1 \$70,000; Air Quality projects of \$185,000; and Water</p> <p>2 projects of \$668,000; with Total Funds of just over</p> <p>3 \$10 million.</p> <p>4 Their Budget for '24 is \$8,662,000,</p> <p>5 and Indirect Costs of \$1.7 million. When we compare</p> <p>6 their Total Budget to FY23, it is \$1.1 million</p> <p>7 higher than last year, additional increase in salary</p> <p>8 due to the raise, and then they also got some</p> <p>9 federal funds for equipment, lab equipment.</p> <p>10 Administrative Services and IT, FY24</p> <p>11 Estimated Indirect Costs is \$13 million; Reserve</p> <p>12 needed for IDC is \$2.7 million; Reserve Funds being</p> <p>13 carried over from '23 is \$813,000.</p> <p>14 We do OSEE's Accounting for \$20,000;</p> <p>15 Federal Grants of \$930,000; we have the License Tag</p> <p>16 Education Grants for \$10,000; Penalty Funds of about</p> <p>17 \$500,000; for a Total Funds of \$18 million.</p> <p>18 The Administrative Budget is</p> <p>19 \$18 million, and Indirect Costs is \$71,000. And if</p> <p>20 you compare our budget to last year, it's about \$2.3</p> <p>21 million increase, that's due to the estimated cost</p> <p>22 to demo the parking garage and then the 5 percent</p> <p>23 salary increase. That's the reason for our budget</p> <p>24 increasing.</p> <p>25 MR. PAQUE: Thank you, Kathy.</p>
<p>Page 30</p> <p>1 Construction has been booming; so their fees have</p> <p>2 really gone up. They're not anticipating that to</p> <p>3 continue, and that's why you see revenue projections</p> <p>4 about staying steady, but if it comes in, yay.</p> <p>5 ECLS Total Funds Available, they have</p> <p>6 Revolving Funds of \$2.8 million; Reserve from '23 of</p> <p>7 \$1.2 million; Federal Funds of \$1.4 million; State</p> <p>8 Appropriations a little over \$3 million; Land work</p> <p>9 of \$911,000; Air Quality work of \$469,000; Water</p> <p>10 projects of \$1.3 million; with the Total Funds</p> <p>11 Available of \$11.2 million.</p> <p>12 Their Budget is \$8.8 million, with</p> <p>13 Indirect of \$2.3 million. If we look at their</p> <p>14 Budget, compare it to '23, it's \$263,000 more, a</p> <p>15 majority of that is the increase in salaries.</p> <p>16 And State Environmental Lab Services</p> <p>17 Division, they're projecting about \$82,000 decrease</p> <p>18 in Revenue; Total Revenue's estimated just slightly</p> <p>19 over \$2 million; Collections were only 77 percent of</p> <p>20 what was projected, in FY23 they collected a Total</p> <p>21 of \$1.6 million.</p> <p>22 Total Funds for the Lab is just over</p> <p>23 \$2 million in Revolving, with carryover of \$2.1</p> <p>24 million; Federal Funds of \$1.6 million; State</p> <p>25 Appropriations of \$3 million; Land Projects,</p>	<p>Page 32</p> <p>1 Any questions from any board member</p> <p>2 of Kathy? Comments, questions?</p> <p>3 Yes, sir?</p> <p>4 MR. KINDER: Kathy, I've got a question.</p> <p>5 On the VW funds, is there a timeline on that? We've</p> <p>6 carried it on our books for a while and I know we</p> <p>7 had some trouble getting some of those funds out.</p> <p>8 Is there a dead date for that?</p> <p>9 MS. AEBISCHER: Yes. We have how many</p> <p>10 more years left?</p> <p>11 MS. BOTCHLET-SMITH: On VW, '27 would be</p> <p>12 the end of our existing program, but we incurred</p> <p>13 some interest money and we'll have until 2031 to</p> <p>14 completely expend all funds.</p> <p>15 MS. AEBISCHER: And it's been a little bit</p> <p>16 slow because of the supply chain, some of the</p> <p>17 schools are having trouble getting buses in. We're</p> <p>18 hoping that will work through in the next year, but</p> <p>19 that's been why some of the funds have been</p> <p>20 transferred to each year, but there has been a lot</p> <p>21 of movement with that grant.</p> <p>22 MR. KINDER: Got one more, Kathy. On the</p> <p>23 increase in the Lab, great, is that in anticipation</p> <p>24 of the lead/copper rulings that are to be coming</p> <p>25 down and also PFAS or -- is some of those federal</p>

<p>1 monies kind of funneled that direction because of 2 that or are we just updating our existing equipment? 3 MS. AEBISCHER: Yes, they're getting -- 4 we'll let Jeff, the director, speak to the program. 5 MR. FRANKLIN: Actually, just last week, 6 we bought another instrument to do PFAS testing. We 7 might apply it to other purposes, but yeah, that's 8 500 for a new -- we used to do somewhere half of 9 that right there, so -- so most of it's new, but 10 some of it is enhancements to support the capacity 11 for lead and copper testing. That workload, we 12 anticipate it'll go up about 200 percent from what 13 it is now, so yes. 14 MR. PAQUE: Thank you. Any other 15 questions? Comments? 16 Thank you, Kathy, no actions required 17 on this item. Item Number 7 -- are you done, Kathy? 18 MS. AEBISCHER: I was going to do the 19 update to date. 20 MR. PAQUE: Okay. 21 MS. AEBISCHER: So this is the quick of 22 where we are as of July 31st. Keep in mind it's one 23 month, so -- but as of July 31st, we've collected in 24 Revenue, all divisions, \$1.3 million, that's 3.4 25 percent of our total projections. If we compare it</p>	<p>Page 33</p> <p>1 you. 2 MR. PAQUE: Thank you. All right. As I 3 said, no action required on the update. 4 We'll move on to Item Number 7, "DEQ 5 Operational Budget Request" for FY 2025. 6 MS. AEBISCHER: Yes. So in FY25, we would 7 like to recommend requesting additional funding, and 8 I'm going to go through the different areas of what 9 the funding is going to be used for. 10 So the State Environmental Lab, they 11 request one full-time employee to maintain the 12 capacity to support the principal state laboratory 13 functions. This would allow the laboratory to meet 14 sample demand related to the success of the lead 15 testing in schools and child drinking -- child care 16 drinking water program, the start of the Safe 17 Drinking Water Act, Revised Lead and Copper Rule, 18 analysis of contaminants of emergency concern, the 19 promulgation of new regulation and testing 20 technologies, participation in the Fifth Unregulated 21 Contaminant Monitoring Rule, including PFAS, PFOS, 22 deploying the lab's new mobile laboratory to 23 increase emergency response and technical assistance 24 capability. 25 This additional funding would</p>
<p>1 to last year, we only collected about 1.6 percent; 2 so we started off strong, it's looking good. 3 Total Budget on Expenditures, as of 4 July 31st we've expended \$2.3 million total 5 expenditures. Most of that is going to be payroll 6 just because -- and lab maintenance service 7 agreements just because it's one month in, but 8 everything's looking good. 9 And then this is Total Funds Expended 10 by Funding Source as of July 31, 2023, so a total of 11 \$2.3 million. 12 MR. PAQUE: All right. Thank you. Any 13 more questions, comments? 14 Matt? 15 MR. NEWMAN: I have one question for you 16 that I think will also lean into the 2025 budget 17 request, the next segment. Is there an additional 18 cost associated with remote parking for employees? 19 MS. AEBISCHER: Yes, we pay for additional 20 parking from several areas. 21 MR. NEWMAN: And, you know, the employees 22 need a parking garage, there's no doubt, I think 23 everybody here would agree to that, but I think that 24 the additional cost of carry is something that folks 25 may not have a line of sight to. That's all. Thank</p>	<p>Page 34</p> <p>1 increase the laboratory capacity, resulting in 2 improved effectiveness of various divisional 3 programs. In addition, it will result in higher 4 sample loads and a modernized scope of testing, 5 resulting in higher revenue and more self-supported 6 divisional budget. 7 Lastly, it will result in cost 8 savings to public water systems that are able to 9 complete remedial work in advance of LCRR 10 implementation and lower administrative costs of 11 issuing notice of violations. The total amount for 12 this position is estimated to be \$86,995. 13 The second item we would like to 14 request is for Environmental Complaints and Local 15 Services. They are requesting two additional 16 full-time FTEs. ECLS operates with a total of 58 17 field staff. The current workload of the division 18 requires 57 field staff to perform the required 19 tasks and provide quality service to the citizens of 20 Oklahoma. The increasing workload is not 21 sustainable at current staffing levels. 22 An increase in field staff would 23 allow ECLS to provide appropriate program oversight 24 while also assisting Water Quality Division meet 25 their goals related to several public drinking water</p> <p>Page 35</p> <p>Page 36</p>

<p>Page 37</p> <p>1 programs, such as lead in schools and Lead Service 2 Line Inventory. Additional staff will provide 3 technical assistance to small rural water and 4 wastewater facilities, as well as assisting them 5 with applying for funding such as the Rural 6 Infrastructure Grant or Bipartisan Infrastructure 7 Law bill funds. The number of requested on-site 8 services related to the installation and repair of 9 septic systems remains near record levels. The 10 total amount of this request is \$163,728.</p> <p>11 Our third request is for the Water 12 Quality Division, and they request three full-time 13 employees. The Oklahoma Water Quality Standards 14 program was transferred to DEQ from the OWRB. House 15 Bill 3824 and Senate Bill 1325 contain no funding 16 for implementation of this program; so DEQ will use 17 the funding to implement water quality standards 18 variances and -- as appropriate as required by the 19 statutory change.</p> <p>20 DEQ used existing staff in multiple 21 divisions to assist with needed rulemaking for this 22 program. EPA has informed DEQ of program 23 deficiencies that were not addressed by OWRB prior 24 to the transfer. Additionally, the regulated 25 community is requesting changes on a routine basis.</p>	<p>Page 39</p> <p>1 cannot be further delayed, and it has reached the 2 point that the agency has made the decision that we 3 must demolish it due to the ongoing safety concerns.</p> <p>4 The agency has had to locate 5 additional parking to relocate displaced employees. 6 The surrounding area has very few options for 7 parking, and DEQ is unable to locate enough parking 8 to accommodate our entire staff. Therefore, we'll 9 be forced to implement increased teleworking due to 10 the availability of parking spaces.</p> <p>11 So the total request -- as I said, 12 ongoing requests for additional staffing to support 13 the programs we're responsible of \$523,043, and the 14 one-time request for the parking garage demolition 15 of \$16 million.</p> <p>16 And I would like to make this 17 clarification: DEQ recommends approval for the 18 agency to submit a budget request seeking up to 19 \$16,523,043, with recognition that the final request 20 may be amended downward in order to remain 21 consistent with any directions provided by the 22 Governor's Office after board consideration, but 23 before the budget submission deadline, and the 24 budget request is due October 1st.</p> <p>25 Any questions?</p>
<p>Page 38</p> <p>1 This total request is \$270,320. 2 Those were ongoing requests; this one 3 is a one-time request, again, for the DEQ parking 4 garage. We -- during the legislative session, we 5 wanted to make sure that our estimate was as good an 6 estimate as we could get; so we went out with the 7 changes in materials again, and it was estimated if 8 we built a new parking garage, it'll be around 9 \$16 million. So this year, requesting \$16 million 10 to build the garage.</p> <p>11 As you know, DEQ is responsible for 12 the maintenance of agency-owned facilities, which 13 includes the parking garage and surface lot for 14 customer and employee parking. Due to legislative 15 sweeps of over \$33 million, we no longer have the 16 funds to complete the replacement of the rapidly 17 deteriorating parking garage.</p> <p>18 The garage has reached a critical 19 point where we have had to close the floors five and 20 six due to a punch-through and falling concrete. 21 Additionally, the parking garage has a total of 324 22 spaces, we've had to close 170 of them, which is 23 52 percent of the parking garage, due to concerns of 24 falling concrete and, potentially, additional 25 punch-through holes. This request is urgent and</p>	<p>Page 40</p> <p>1 MR. PAQUE: So I have one question. If 2 there was a reduction, it seems to me that the 3 reduction wouldn't be taken out of the three 4 requests of the ongoing requests, but it'd have to 5 come out of the \$16 million.</p> <p>6 Does that make any sense, that if you 7 had to move -- drop it, that it would come out of 8 the \$16 million? Just in the overall requests, just 9 the overall requests.</p> <p>10 MS. AEBISCHER: As of what happened last 11 year is the Governor asked us not to --</p> <p>12 MR. PAQUE: Not to submit it? All right.</p> <p>13 MS. AEBISCHER: -- request anything; so 14 that's what the clarification is for.</p> <p>15 MR. PAQUE: Yeah, that's what I wanted to 16 hear. Okay.</p> <p>17 MR. THOMPSON: Yeah, basically sometimes 18 at the last minute, or a lot of times after the last 19 minute, after it's already submitted, they ask us to 20 hold it flat, which means ask for what you asked for 21 last year, or ask for what you got last year.</p> <p>22 And so we may be requested to do that 23 just before the deadline or something, and so that's 24 why we're asking this in this way. But you know, if 25 we're able to submit it with requests, other people</p>

<p style="text-align: right;">Page 41</p> <p>1 do, and you never know, you might get it; if you</p> <p>2 don't put it on there, you probably won't get it.</p> <p>3 MR. PAQUE: That was my point.</p> <p>4 MR. THOMPSON: Yeah.</p> <p>5 MR. PAQUE: Thank you.</p> <p>6 DR. HAMMON: Thank you, Kathy. For ECLS,</p> <p>7 if they have 58 field staff but the workload is for</p> <p>8 67, why only ask for two additional FTEs?</p> <p>9 MS. AEBISCHER: We'll let Mark, the</p> <p>10 director, answer that.</p> <p>11 MR. HILDEBRAND: I'm Mark Hildebrand, and</p> <p>12 I'm the Division Director for Environmental</p> <p>13 Complaints and Local Services. Well, we know we</p> <p>14 aren't going to get nine employees, for one thing,</p> <p>15 but we've got a formula for everything we do and how</p> <p>16 many hours it takes, and sometimes it's off,</p> <p>17 sometimes a complaint might take an hour and</p> <p>18 sometimes it might take -- meander on for years on</p> <p>19 some of these things.</p> <p>20 So it's not exact, but in the past</p> <p>21 we've had 83 employees out in the field, and we've</p> <p>22 gone down as low as 52 or 53, and we've been able to</p> <p>23 get a few back, but we've also reduced some of our</p> <p>24 services. I mean, we don't inspect water plants --</p> <p>25 mechanical water plans and mechanical wastewater</p>	<p style="text-align: right;">Page 43</p> <p>1 and we would submit requests and never get anything.</p> <p>2 And then the first year I went to ECLS, we requested</p> <p>3 one and we got one, and I about fell over because we</p> <p>4 never got any of this stuff; so we aren't going to</p> <p>5 ask for more than we think is reasonable.</p> <p>6 MR. MUNSON: But you think two will --</p> <p>7 MR. HILDEBRAND: Right.</p> <p>8 DR. HAMMON: -- will fill the gap that you</p> <p>9 have right now?</p> <p>10 MR. HILDEBRAND: Yes, ma'am.</p> <p>11 DR. HAMMON: Thank you.</p> <p>12 MR. PAQUE: Any other questions from the</p> <p>13 Board?</p> <p>14 MR. MUNSON: I have a question.</p> <p>15 MR. PAQUE: Yes, sir.</p> <p>16 MR. MUNSON: You mentioned that the agency</p> <p>17 has determined that they're going to move forward</p> <p>18 with the demolition of the garage. Is there a</p> <p>19 timeline for the beginning of that?</p> <p>20 MS. AEBISCHER: I was hoping to start</p> <p>21 January, but the OMES, who we have to put the</p> <p>22 request through, they laid off a lot of people; so</p> <p>23 it slowed down a lot of our projects, not only in</p> <p>24 Administration but in Land.</p> <p>25 So I'm still hoping by the first of</p>
<p style="text-align: right;">Page 42</p> <p>1 plants, we used to inspect four times a year, now we</p> <p>2 inspect one time a year. Now Water goes out and</p> <p>3 inspects some of them, as well, periodically.</p> <p>4 But I guess I'm just -- our folks are</p> <p>5 -- we did most all of our things that we needed</p> <p>6 done, but they're running ragged. They work long,</p> <p>7 hard hours and we've got vacancies, managers are</p> <p>8 working with -- along with their management duties,</p> <p>9 they're also doing their vacant job duties.</p> <p>10 DR. HAMMON: So if you add two head count,</p> <p>11 if you have 60 people, does that ease the burden or</p> <p>12 is it still --</p> <p>13 MR. HILDEBRAND: Oh, yes, it would greatly</p> <p>14 ease. And what we've done in the past is we've got</p> <p>15 some -- when we've got some, we've put where we need</p> <p>16 them and we've helped there in Southeast Oklahoma</p> <p>17 and we've helped a little bit in South Central</p> <p>18 Oklahoma. One employee, we put them in the right</p> <p>19 office, him or her, it greatly reduces the -- we can</p> <p>20 adjust from where all we work there.</p> <p>21 DR. HAMMON: I appreciate the</p> <p>22 clarification, I just look at that and wonder if two</p> <p>23 is just a bandaid and three or four would be --</p> <p>24 MR. HILDEBRAND: I'll be honest, when I</p> <p>25 first came -- I did -- I worked in Water for years,</p>	<p style="text-align: right;">Page 44</p> <p>1 next year to start, but right now, we haven't even</p> <p>2 gotten a list of contractors yet.</p> <p>3 MR. MUNSON: Thank you.</p> <p>4 MR. PAQUE: So why don't we -- question</p> <p>5 for either one of you. When we tear down the</p> <p>6 garage, if there's a lag time between the demolition</p> <p>7 and the reconstruction, if it comes, if there's a</p> <p>8 provision in there for using that for surface</p> <p>9 parking for whatever that's -- that's part of the --</p> <p>10 won't be --</p> <p>11 MR. THOMPSON: Yeah, if we can get it</p> <p>12 done, it's all timing. I mean, we may actually lose</p> <p>13 parking capacity on our north lot if that has to be</p> <p>14 the staging area for the demolition for the new</p> <p>15 garage and/or -- especially during construction for</p> <p>16 a new garage, you know, there'll have to be some</p> <p>17 staging area other than 6th Street, and so -- but if</p> <p>18 there's a gap in there and we can get that paved in</p> <p>19 some manner and use it, ideally, if we could get</p> <p>20 partially funded we would construct that first floor</p> <p>21 as a base of a parking garage so you wouldn't be</p> <p>22 spending that money once and then having to come</p> <p>23 back and tear it up and put in a base for a parking</p> <p>24 garage.</p> <p>25 So if we put -- you know, or, you</p>

<p style="text-align: right;">Page 45</p> <p>1 know, if we got enough, we could do a couple floors</p> <p>2 with it designed to be added to as we got adequate</p> <p>3 funding. That would make the construction process</p> <p>4 take a lot longer and not be as economically</p> <p>5 efficient as if you do it all at once, but that's</p> <p>6 kind of how we're going to have to approach it.</p> <p>7 MS. AEBISCHER: We're going to get bids</p> <p>8 for, like, 11 options so that in case Scott performs</p> <p>9 miracles at the next session where we can get funds</p> <p>10 we can do the whole thing, but yes, we're asking</p> <p>11 them the cost to do a surface lot and then, like,</p> <p>12 one to two to three levels to be added onto, just to</p> <p>13 get costs for all of that.</p> <p>14 And if for -- hopefully, if we get</p> <p>15 something, maybe we can build a couple of levels to</p> <p>16 accommodate some of the parking there. So we</p> <p>17 thought we'd kind of be proactive, hoping for a</p> <p>18 miracle.</p> <p>19 MR. PAQUE: Thank you.</p> <p>20 Were there any -- is there anyone</p> <p>21 from the public present that had any questions on</p> <p>22 the budget presentation? Anyone?</p> <p>23 All right. Chair would entertain a</p> <p>24 motion to approve the budget requests as outlined by</p> <p>25 Kathy, \$16,523,043.</p>	<p style="text-align: right;">Page 47</p> <p>1 MS. FIELDS: Mr. Paque?</p> <p>2 MR. PAQUE: Yes.</p> <p>3 MS. FIELDS: Motion passed.</p> <p>4 MR. PAQUE: Thank you.</p> <p>5 Before we go to the next item, I'd</p> <p>6 like to welcome and acknowledge another guest, Eric</p> <p>7 Lee. Eric, you want to -- there you are, thank you.</p> <p>8 Welcome, glad you're with us today.</p> <p>9 All right. Next item on the agenda</p> <p>10 is Item Number 8, "Employee Disclosures".</p> <p>11 MS. BOYLE: Good morning. Every year, I</p> <p>12 reach out to all of DEQ's employees and ask if they</p> <p>13 have any proprietary or financial interest in any of</p> <p>14 the entities that we regulate - they have to</p> <p>15 disclose that under the Environmental Quality code -</p> <p>16 and this year, for the first time ever, we had no</p> <p>17 new folks to add; so there's no action to be taken</p> <p>18 on that item.</p> <p>19 But while I've got everyone here, I</p> <p>20 would like to welcome DEQ's newest addition to the</p> <p>21 Office of General Counsel. Jonathan Allen has just</p> <p>22 joined us as Deputy General Counsel and was formerly</p> <p>23 with the Department of Mines and the Water Resources</p> <p>24 Board, so -- thanks.</p> <p>25 MR. PAQUE: Welcome, Jonathan.</p>
<p style="text-align: right;">Page 46</p> <p>1 MR. HIRSHEY: So move.</p> <p>2 MR. PAQUE: Motion, is there a second?</p> <p>3 DR. FERRELL: Second.</p> <p>4 MR. PAQUE: Motion and a second to approve</p> <p>5 the budget request. Roll call vote, please.</p> <p>6 MS. FIELDS: Mr. Auer?</p> <p>7 MR. AUER: Yes.</p> <p>8 MS. FIELDS: Mr. Barton?</p> <p>9 MR. BARTON: Yes.</p> <p>10 MS. FIELDS: Mr. Easton?</p> <p>11 MR. EASTON: Yes.</p> <p>12 MS. FIELDS: Dr. Ferrell?</p> <p>13 DR. FERRELL: Yes.</p> <p>14 MS. FIELDS: Dr. Hammon?</p> <p>15 DR. HAMMON: Yes.</p> <p>16 MS. FIELDS: Mr. Hirshey?</p> <p>17 MR. HIRSHEY: Yes.</p> <p>18 MS. FIELDS: Mr. Kinder?</p> <p>19 MR. KINDER: Yes.</p> <p>20 MS. FIELDS: Ms. Kindrick?</p> <p>21 MS. KINDRICK: Yes.</p> <p>22 MS. FIELDS: Mr. Munson?</p> <p>23 MR. MUNSON: Yes.</p> <p>24 MS. FIELDS: Mr. Newman?</p> <p>25 MR. NEWMAN: Yes.</p>	<p style="text-align: right;">Page 48</p> <p>1 MR. ALLEN: Thank you.</p> <p>2 MR. PAQUE: Next item on the agenda --</p> <p>3 thank you, Jennifer.</p> <p>4 Next item on the agenda is "Executive</p> <p>5 Session". And for those that are guests, "Among the</p> <p>6 statutory duties of the Board are the</p> <p>7 responsibilities to appoint and set the compensation</p> <p>8 of the Executive Director and to assist the DEQ in</p> <p>9 conducting periodic surveys and planning activities</p> <p>10 related to the goals, objectives, priorities, and</p> <p>11 policies of the DEQ. In connection with these</p> <p>12 responsibilities, the Board has determined that it</p> <p>13 should conduct a performance review of the Executive</p> <p>14 Director."</p> <p>15 So to do that, I would consider a</p> <p>16 motion to go into executive session; before I do</p> <p>17 that, or shortly thereafter the vote, I'd like to</p> <p>18 make sure that we have a volunteer from the Board</p> <p>19 who will take notes during the executive session.</p> <p>20 So just if we have a volunteer for that, whoever</p> <p>21 jumps up, I'd appreciate it.</p> <p>22 So with that, I believe we can move</p> <p>23 to a motion to go into executive session and convene</p> <p>24 in executive session.</p> <p>25 MR. KINDER: Jimmy Kinder, I so move we go</p>

<p>1 into executive section.</p> <p>2 MR. MUNSON: Second.</p> <p>3 MR. PAQUE: Motion and a second. Roll</p> <p>4 call vote, please.</p> <p>5 MS. FIELDS: Mr. Auer?</p> <p>6 MR. AUER: Yes.</p> <p>7 MS. FIELDS: Mr. Barton?</p> <p>8 MR. BARTON: Yes.</p> <p>9 MS. FIELDS: Mr. Easton?</p> <p>10 MR. EASTON: Yes.</p> <p>11 MS. FIELDS: Dr. Ferrell?</p> <p>12 DR. FERRELL: Yes.</p> <p>13 MS. FIELDS: Dr. Hammon?</p> <p>14 DR. HAMMON: Yes.</p> <p>15 MS. FIELDS: Mr. Hirshey?</p> <p>16 MR. HIRSHEY: Yes.</p> <p>17 MS. FIELDS: Mr. Kinder?</p> <p>18 MR. KINDER: Yes.</p> <p>19 MS. FIELDS: Ms. Kindrick?</p> <p>20 MS. KINDRICK: Yes.</p> <p>21 MS. FIELDS: Mr. Munson?</p> <p>22 MR. MUNSON: Yes.</p> <p>23 MS. FIELDS: Mr. Newman?</p> <p>24 MR. NEWMAN: Yes.</p> <p>25 MS. FIELDS: Mr. Paque?</p>	<p>Page 49</p> <p>1 MS. FIELDS: Mr. Auer?</p> <p>2 MR. AUER: Here.</p> <p>3 MS. FIELDS: Mr. Barton?</p> <p>4 MR. BARTON: Yes.</p> <p>5 MS. FIELDS: Mr. Easton?</p> <p>6 MR. EASTON: Yes.</p> <p>7 MS. FIELDS: Dr. Ferrell?</p> <p>8 DR. FERRELL: Yes.</p> <p>9 MS. FIELDS: Dr. Hammon?</p> <p>10 DR. HAMMON: Yes.</p> <p>11 MS. FIELDS: Mr. Hirshey?</p> <p>12 MR. HIRSHEY: Yes.</p> <p>13 MS. FIELDS: Mr. Kinder?</p> <p>14 MR. KINDER: Yes.</p> <p>15 MS. FIELDS: Ms. Kindrick?</p> <p>16 MS. KINDRICK: Yes.</p> <p>17 MS. FIELDS: Mr. Munson?</p> <p>18 MR. MUNSON: Yes.</p> <p>19 MS. FIELDS: Mr. Newman?</p> <p>20 MR. NEWMAN: Yes.</p> <p>21 MS. FIELDS: Mr. Paque?</p> <p>22 MR. PAQUE: Yes.</p> <p>23 MS. FIELDS: Motion passed.</p> <p>24 MR. PAQUE: All right. Thank you.</p> <p>25 So the Board's met in Executive</p>
<p>1 MR. PAQUE: Yes.</p> <p>2 MS. FIELDS: Motion passed.</p> <p>3 MR. PAQUE: But before we do that, we need</p> <p>4 a volunteer on the Board to take notes during the</p> <p>5 executive session. Do we have one?</p> <p>6 MR. BARTON: I'll do it.</p> <p>7 MR. PAQUE: All right. We have a note</p> <p>8 taker, thank you very much. So we have a motion and</p> <p>9 we approved motion to go into executive session; so</p> <p>10 I'd ask all those persons not on the Board, except</p> <p>11 for our attorney, to leave the room for a little bit</p> <p>12 and we'll let you know when we're done with the</p> <p>13 executive session.</p> <p>14 And I think we'll take a five-minute</p> <p>15 break for the Board before we do that.</p> <p>16 (Executive Session from 10:35 AM to 11:45 AM)</p> <p>17 MR. PAQUE: The Chair would entertain a</p> <p>18 motion to reconvene from Executive Session.</p> <p>19 DR. FERRELL: So moved.</p> <p>20 DR. HAMMON: Second.</p> <p>21 MR. PAQUE: Does that take a roll call?</p> <p>22 Yes, it does. Okay. Roll call vote to reconvene.</p> <p>23 MS. FIELDS: Did we get a motion?</p> <p>24 MR. PAQUE: Motion by Ferrell, second by</p> <p>25 Hammon.</p>	<p>Page 50</p> <p>1 Session to discuss the performance and associated</p> <p>2 topics with and about the Executive Director. We've</p> <p>3 completed that work, and we'll now have comments</p> <p>4 from the Board, but just -- before we begin, let me</p> <p>5 just the say in general terms, Scott, that the</p> <p>6 Board's very pleased with your performance over the</p> <p>7 past year and the initiatives that you went over and</p> <p>8 your work on the national groups, and I'd like to</p> <p>9 just recognize Scott -- he mentioned it, but Scott,</p> <p>10 this last week in his capacity at ECOS, of which</p> <p>11 he's been a prominent figure for many, many years,</p> <p>12 he was given the President's Award for exemplary</p> <p>13 leadership of initiatives of the ECOS Compliance</p> <p>14 Committee and environmental research institute of</p> <p>15 the state, so that's quite an honor coming from</p> <p>16 ECOS, so congratulations on that award, thank you</p> <p>17 for your work on that.</p> <p>18 So with that, let me just turn it</p> <p>19 over or open it up for the board members that might</p> <p>20 have any comments or -- to Scott or about Scott,</p> <p>21 anything more they'd like to share in terms of</p> <p>22 concerns, comments. No?</p> <p>23 Seeing none, hearing none, Chair</p> <p>24 would entertain a motion in consideration of</p> <p>25 Executive Director's salary for the coming year.</p>
	<p>Page 51</p> <p>1 MS. FIELDS: Mr. Auer?</p> <p>2 MR. AUER: Here.</p> <p>3 MS. FIELDS: Mr. Barton?</p> <p>4 MR. BARTON: Yes.</p> <p>5 MS. FIELDS: Mr. Easton?</p> <p>6 MR. EASTON: Yes.</p> <p>7 MS. FIELDS: Dr. Ferrell?</p> <p>8 DR. FERRELL: Yes.</p> <p>9 MS. FIELDS: Dr. Hammon?</p> <p>10 DR. HAMMON: Yes.</p> <p>11 MS. FIELDS: Mr. Hirshey?</p> <p>12 MR. HIRSHEY: Yes.</p> <p>13 MS. FIELDS: Mr. Kinder?</p> <p>14 MR. KINDER: Yes.</p> <p>15 MS. FIELDS: Ms. Kindrick?</p> <p>16 MS. KINDRICK: Yes.</p> <p>17 MS. FIELDS: Mr. Munson?</p> <p>18 MR. MUNSON: Yes.</p> <p>19 MS. FIELDS: Mr. Newman?</p> <p>20 MR. NEWMAN: Yes.</p> <p>21 MS. FIELDS: Mr. Paque?</p> <p>22 MR. PAQUE: Yes.</p> <p>23 MS. FIELDS: Motion passed.</p> <p>24 MR. PAQUE: All right. Thank you.</p> <p>25 So the Board's met in Executive</p>
	<p>Page 52</p> <p>1 Session to discuss the performance and associated</p> <p>2 topics with and about the Executive Director. We've</p> <p>3 completed that work, and we'll now have comments</p> <p>4 from the Board, but just -- before we begin, let me</p> <p>5 just the say in general terms, Scott, that the</p> <p>6 Board's very pleased with your performance over the</p> <p>7 past year and the initiatives that you went over and</p> <p>8 your work on the national groups, and I'd like to</p> <p>9 just recognize Scott -- he mentioned it, but Scott,</p> <p>10 this last week in his capacity at ECOS, of which</p> <p>11 he's been a prominent figure for many, many years,</p> <p>12 he was given the President's Award for exemplary</p> <p>13 leadership of initiatives of the ECOS Compliance</p> <p>14 Committee and environmental research institute of</p> <p>15 the state, so that's quite an honor coming from</p> <p>16 ECOS, so congratulations on that award, thank you</p> <p>17 for your work on that.</p> <p>18 So with that, let me just turn it</p> <p>19 over or open it up for the board members that might</p> <p>20 have any comments or -- to Scott or about Scott,</p> <p>21 anything more they'd like to share in terms of</p> <p>22 concerns, comments. No?</p> <p>23 Seeing none, hearing none, Chair</p> <p>24 would entertain a motion in consideration of</p> <p>25 Executive Director's salary for the coming year.</p>

<p>Page 53</p> <p>1 DR. FERRELL: Mr. Chairman, in recognition 2 of the exceptional leadership that Scott has shown, 3 both internally to the department and nationwide, 4 putting Oklahoma on the map as an innovator in the 5 environmental space and just the personal growth 6 that he continues to show as an executive, we would 7 like to -- I'd like to move that we increase Scott's 8 salary and commensurate benefits by 5 percent this 9 year.</p> <p>10 MR. MUNSON: Second.</p> <p>11 MR. PAQUE: We have a motion and a second.</p> <p>12 Roll call, please.</p> <p>13 MS. FIELDS: Mr. Auer?</p> <p>14 MR. AUER: Yes.</p> <p>15 MS. FIELDS: Mr. Barton?</p> <p>16 MR. BARTON: Yes.</p> <p>17 MS. FIELDS: Mr. Easton?</p> <p>18 MR. EASTON: Yes.</p> <p>19 MS. FIELDS: Dr. Ferrell?</p> <p>20 DR. FERRELL: Yes.</p> <p>21 MS. FIELDS: Dr. Hammon?</p> <p>22 DR. HAMMON: Yes.</p> <p>23 MS. FIELDS: Mr. Hirshey?</p> <p>24 MR. HIRSHEY: Yes.</p> <p>25 MS. FIELDS: Mr. Kinder?</p>	<p>Page 55</p> <p>1 DR. HAMMON: Do we need to decide whether 2 it's Broken Bow or Durant?</p> <p>3 MR. PAQUE: I'm sorry, my mistake.</p> <p>4 MR. MUNSON: So Broken Bow or Durant.</p> <p>5 MR. PAQUE: Yeah, my apologies, my 6 apologies. So is that -- do we need an action? All 7 right.</p> <p>8 So just to clarify, we have Tuesday, 9 February 13th in Oklahoma City; Tuesday, June 11th 10 in Oklahoma City; Tuesday, September 10th in either 11 Broken Bow or Durant and; Thursday, November 7th in 12 Enid. So we'd look for expression of Board interest 13 on Tuesday, September 10th, Broken Bow or Durant, I 14 think we need to clarify one or the other.</p> <p>15 DR. FERRELL: On information, are there 16 any new industrial developments or any DEQ projects 17 in either of those locations that would merit 18 special attention?</p> <p>19 MR. THOMPSON: Well, you know, Broken Bow 20 is becoming like crazy, Hochtstown. So anyways, so 21 it's mostly in ECLS's workload down there and we 22 struggled to communicate with the Broken Bow office 23 and stuff. So we're doing a lot of work, I don't 24 know that there's any economic development down 25 there other than just what's becoming Branson South,</p>
<p>Page 54</p> <p>1 MR. KINDER: Yes.</p> <p>2 MS. FIELDS: Ms. Kindrick?</p> <p>3 MS. KINDRICK: Yes.</p> <p>4 MS. FIELDS: Mr. Munson?</p> <p>5 MR. MUNSON: Yes.</p> <p>6 MS. FIELDS: Mr. Newman?</p> <p>7 MR. NEWMAN: Yes.</p> <p>8 MS. FIELDS: Mr. Paque?</p> <p>9 MR. PAQUE: Yes.</p> <p>10 MS. FIELDS: Motion passed.</p> <p>11 MR. PAQUE: Thank you.</p> <p>12 Scott?</p> <p>13 MR. THOMPSON: Thank you, I appreciate it.</p> <p>14 MR. PAQUE: All right. Next item on the 15 agenda, "Calendar Year 2024 Board Meeting Dates and 16 Locations". The Board has provided a schedule for 17 the coming year, cities and dates, it's in your 18 packet. If there's not any objection to any of the 19 dates or anything on the calendar, I'd entertain a 20 motion to approve next year's meeting calendar.</p> <p>21 MR. MUNSON: So moved.</p> <p>22 MR. NEWMAN: Second.</p> <p>23 MR. PAQUE: Motion and a second to approve 24 the calendar -- did you get that?</p> <p>25 MS. FIELDS: There's two locations.</p>	<p>Page 56</p> <p>1 sort of.</p> <p>2 And it's kind of overwhelming the 3 amount of work that our local folks are having to do 4 with their residential houses and trail parks, and 5 little cabins and things are being constructed in a 6 place which was really out in the boonies, for the 7 most part, except for a few spots, historically, and 8 it's kind of -- it's crazy.</p> <p>9 So -- but there's some new things 10 going in. I think there's a new state lodge that 11 might be finished in time for that that's being 12 refurbished, at least down there in Broken Bow; so 13 that might be a nice facility to visit.</p> <p>14 And then in Durant, we have some, you 15 know, CMC -- a steel mill that uses recycled 16 feedstock, I believe. It is in Durant, we helped 17 Commerce and the City of Durant folks and the Tribe 18 down there land that facility.</p> <p>19 And so that's the biggest new thing 20 down there that I can think of that -- in terms of 21 us having a permit in the Durant area, but of course 22 there's also a lot of growth there and expansion and 23 a lot of commerce happening in probably smaller 24 companies showing up that may need some help from 25 us.</p>

<p style="text-align: right;">Page 57</p> <p>1 But, you know, these are just ideas</p> <p>2 that we've tossed out for the Board. If you have a</p> <p>3 better idea or something that the Board would rather</p> <p>4 consider, that's -- there's nothing magic.</p> <p>5 We do like the two locations in</p> <p>6 Oklahoma City because one is during session and we</p> <p>7 kind of need to be there, and then June is easy</p> <p>8 because if we have no significant business, we can</p> <p>9 always cancel it, that way we're not having somebody</p> <p>10 expecting us to show up and commit to a bunch of</p> <p>11 rooms or a meeting space and not able to -- you</p> <p>12 know, we'd have to the meeting and not fulfill that.</p> <p>13 So that's why those two are set for</p> <p>14 Oklahoma City, but the other two meetings are</p> <p>15 completely up to the Board.</p> <p>16 DR. HAMMON: So I notice that the</p> <p>17 February one is on a Tuesday, is that intentional?</p> <p>18 They've always been Fridays. Have they been?</p> <p>19 MR. THOMPSON: I'm not quite sure why.</p> <p>20 MS. BOYLE: I think there has been a</p> <p>21 request to not piggyback that on the President's Day</p> <p>22 weekend, I think it has affected some travel plans</p> <p>23 where employees like to take an extra-long weekend.</p> <p>24 DR. HAMMON: All right. Broken Bow or</p> <p>25 Durant?</p>	<p style="text-align: right;">Page 59</p> <p>1 MS. FIELDS: Dr. Hammon?</p> <p>2 DR. HAMMON: Yes.</p> <p>3 MS. FIELDS: Mr. Hirshey?</p> <p>4 MR. HIRSHEY: Yes.</p> <p>5 MS. FIELDS: Mr. Kinder?</p> <p>6 MR. KINDER: Yes.</p> <p>7 MS. FIELDS: Ms. Kindrick?</p> <p>8 MS. KINDRICK: Yes.</p> <p>9 MS. FIELDS: Mr. Munson?</p> <p>10 MR. MUNSON: Yes.</p> <p>11 MS. FIELDS: Mr. Newman?</p> <p>12 MR. NEWMAN: Yes.</p> <p>13 MS. FIELDS: Mr. Paque?</p> <p>14 MR. PAQUE: Yes.</p> <p>15 MS. FIELDS: Motion passed.</p> <p>16 MR. PAQUE: Thank you.</p> <p>17 Next item on the agenda is "New</p> <p>18 Business", "Any matter not known about or which</p> <p>19 could not have been reasonably foreseen prior to the</p> <p>20 posting of the agenda".</p> <p>21 Is there any new business to be</p> <p>22 brought before the Board to be considered under this</p> <p>23 item? Seeing none, we'll move on.</p> <p>24 Item Number 14, the Next Meeting is</p> <p>25 November 7th in Duncan. No action required on that.</p>
<p style="text-align: right;">Page 58</p> <p>1 MR. BARTON: I would suggest Durant for</p> <p>2 the September meeting.</p> <p>3 DR. FERRELL: I'll second. Is that a</p> <p>4 motion, Mr. Barton?</p> <p>5 MR. BARTON: Yes, that's a motion to have</p> <p>6 this -- as proceeding with Durant.</p> <p>7 MR. PAQUE: With Durant? So there is a</p> <p>8 second?</p> <p>9 DR. FERRELL: Second.</p> <p>10 MR. PAQUE: There's a motion and a second</p> <p>11 to -- for Tuesday, September 10th, have a meeting</p> <p>12 site in Durant. And your motion includes approval</p> <p>13 of all the other dates and cities, correct?</p> <p>14 MR. BARTON: Correct.</p> <p>15 MR. PAQUE: Okay. So I'll hear that --</p> <p>16 MR. NEWMAN: Yes.</p> <p>17 MR. PAQUE: -- Durant. Roll call, please?</p> <p>18 MS. FIELDS: Mr. Auer?</p> <p>19 MR. AUER: Yes.</p> <p>20 MS. FIELDS: Mr. Barton?</p> <p>21 MR. BARTON: Yes.</p> <p>22 MS. FIELDS: Mr. Easton?</p> <p>23 MR. EASTON: Yes.</p> <p>24 MS. FIELDS: Dr. Ferrell?</p> <p>25 DR. FERRELL: Yes.</p>	<p style="text-align: right;">Page 60</p> <p>1 Any last comments by any board</p> <p>2 members, questions? If not, I'd entertain -- and we</p> <p>3 will be going, after this, into a public forum if</p> <p>4 there's anyone in attendance that wishes to speak,</p> <p>5 but first the next order of business is a motion for</p> <p>6 adjournment.</p> <p>7 DR. HAMMON: I'll move to adjourn.</p> <p>8 MR. MUNSON: Second.</p> <p>9 MR. PAQUE: Motion and a second. Roll</p> <p>10 call, please.</p> <p>11 MS. FIELDS: Mr. Auer?</p> <p>12 MR. AUER: Yes.</p> <p>13 MS. FIELDS: Mr. Barton?</p> <p>14 MR. BARTON: Yes.</p> <p>15 MS. FIELDS: Mr. Easton?</p> <p>16 MR. EASTON: Yes.</p> <p>17 MS. FIELDS: Dr. Ferrell?</p> <p>18 DR. FERRELL: Yes.</p> <p>19 MS. FIELDS: Dr. Hammon?</p> <p>20 DR. HAMMON: Yes.</p> <p>21 MS. FIELDS: Mr. Hirshey?</p> <p>22 MR. HIRSHEY: Yes.</p> <p>23 MS. FIELDS: Mr. Kinder?</p> <p>24 MR. KINDER: Yes.</p> <p>25 MS. FIELDS: Ms. Kindrick?</p>

Page 61

1 MS. KINDRICK: Yes.
2 MR. FIELDS: Mr. Munson?
3 MR. MUNSON: Yes.
4 MS. FIELDS: Mr. Newman?
5 MR. NEWMAN: Yes.
6 MS. FIELDS: Mr. Paque?
7 MR. PAQUE: Yes.
8 MS. FIELDS: Motion passed.
9 MR. PAQUE: So we are adjourned.
10 Let me ask, for the public forum,
11 Quiana or whoever, has anyone -- is there anyone
12 present that has signed up for the public forum, so
13 I don't have to read this whole page of notes?
14 Okay. Anyone present that wishes to speak during
15 the public forum?
16 Seeing none, we're adjourned.
17 (MEETING ADJOURNED AT 12:08 PM)
18
19
20
21
22
23
24
25

Page 62

1 C E R T I F I C A T E
2 I, Jenny Longley, Certified Shorthand
3 Reporter within and for the State of Oklahoma, do
4 hereby certify that the above and foregoing meeting
5 was by me taken in shorthand and thereafter
6 transcribed; and that I am not an attorney for nor
7 relative of any of said parties or otherwise
8 interested in the event of said action.
9 IN WITNESS WHEREOF, I have hereunto
10 set my hand and official seal this 20th day of
11 September, 2023.



Jenny Longley, CSR
CSR # 1003

12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROFESSIONAL REPORTERS

800.376.1006
proreporters.com



ENVIRONMENTAL QUALITY BOARD

Attendance Record

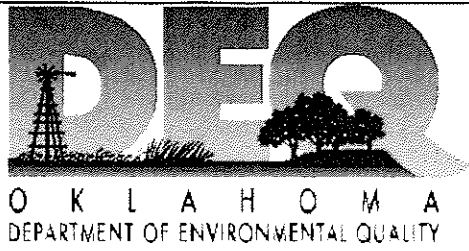
September 12, 2023

Tulsa, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Sharon Smith	DEQ
Quiana Fields	DEQ
Malcolm Zachariah	DEQ
Scott Thompson	DEQ
MATT Newman	New Era Advisors/DEQ Board
Mike Parker	DEQ BD
Jimmy Klader	DEQ BD
Sigylar McElhoney	DEQ
Bud Ground	EFO
Kathy Aebischer	DEQ
Kelly Dixon	DEQ
Beverly Botchlet-Smith	DEQ
Jonathan Allen	DEQ
Lloyd Kille	DEQ
Mark Hildebrand	DEQ
Tracy Hammon	EQB
Shannon L. Ferrell	EQB
Karen Steele	DEQ
Jeff Farquhar	DEQ
EPEN Hatfield	DEQ
Michelle Wynn	DEQ
Mark Barber	EQB
Tim Mingson	"
Nicholas Huh	DEQ
Jennifer Boyle	DEQ
Alexa Kindred	EQB



ENVIRONMENTAL QUALITY BOARD

Attendance Record

September 12, 2023

Tulsa, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Rich Ayer
Ken Hines
John Coats
Jennifer Lewis
John
Barney Sillingham
Corey Williams
Eric Lee

EQB
EQB
EQB
EQB OAG
OAG
City of Tulsa
The Sustainability Alliance
City of Tulsa