

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

A Public Meeting: 9:30 a.m. Friday, February 15, 2019  
DEQ Multipurpose Room  
707 N. Robinson  
Oklahoma City, Oklahoma 73101-1677

A copy of this notice and agenda has been posted in a prominent location at the offices of the Oklahoma Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, on February 6, 2019, at 4:30 p.m. A copy of this agenda is available on the DEQ's website at [www.deq.ok.gov](http://www.deq.ok.gov).

*Please turn off cell phones.*

**1. Call to Order – Tim W. Munson, Chair**

**2. Announcements – Tim W. Munson, Chair**

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

**3. Roll Call – Quiana Fields, Board Secretary**

**4. Approval of Minutes of the November 9, 2018, Regular Meeting**

**5. Election of Officers – Election of Chair and Vice-Chair for Calendar Year 2019**

**6. Rulemaking - OAC 252:100 Air Pollution Control**

A. The Department is proposing to amend OAC 252:100, Subchapters 37, 39, and Appendix N to provide the aerospace industry with updated requirements that better reflect current aerospace industry coating formulations and practice, and to make the rules applicable statewide. This rulemaking would ensure the aerospace industry in Oklahoma has the opportunity to operate with standards specific to the industry and consistent with rules already in place for Tulsa County to reduce the formation of ozone.

B. The Department is proposing to amend OAC 252:100, Subchapter 39-4 (Exemptions) to remove an incorrect citation to a revoked rule.

C. The Department is proposing to amend OAC 252:100, Subchapter 39-16 (Petroleum refinery process unit turnaround) to ensure that the proper controls are used during the scheduled refinery unit turnarounds during Oklahoma's current ozone season.

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

#### **7. Rulemaking – OAC 252:205 Hazardous Waste Management**

The Department is proposing to amend OAC 252:205, Subchapter 3 to make DEQ's hazardous waste rules consistent with the federal regulations through incorporation by reference of the regulations found in 40 CFR Parts 124 and 260-279 revised as of July 1, 2018. Significant federal rule changes to be incorporated include: establishing EPA user fees for electronic and paper manifests; new EPA rules related to Confidentiality Determinations for Hazardous Waste Export and Import Documents; and revision to EPA's Definition of Solid Waste rule due to court decisions vacating certain provisions.

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

#### **8. Rulemaking – OAC 252:301 Laboratory Accreditation**

The Department is proposing to amend OAC 252:301, Subchapters 1, 3, 5, 7 and 9 to make the Laboratory Accreditation Rules internally consistent and to update accreditation requirements to reflect current EPA standards for analysis, specifically incorporating by reference the latest changes to EPA Primary Drinking Water Regulations, National Standards for Solid Waste Test Methods and EPA Test Procedures for the Analysis of Pollutants. The Department is also proposing to add a new fee to recover the cost, capped at \$10,000 per laboratory for assessors' time and effort in performing on-site evaluations.

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

#### **9. Rulemaking- OAC 252:302 Field Laboratory Accreditation**

The Department is proposing to amend OAC 252:302, Subchapters 1, 3, 5, 7 and 9 to make the Laboratory Accreditation Rules internally consistent and to update accreditation

requirements to reflect current EPA standards for analysis, specifically incorporating by reference the latest changes to EPA Test Procedures for the Analysis of Pollutants. The Department is also proposing to add a new fee to partially recover the cost for assessors' time and effort in performing on-site evaluations.

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

**10. Rulemaking- OAC 252:307 TNI Laboratory Accreditation**

The Department is proposing to amend OAC 252:307, Subchapters 1, 7 and 9 to make the Laboratory Accreditation Rules internally consistent and to update accreditation requirements to reflect current EPA standards for analysis, specifically incorporating by reference the latest changes to EPA Primary Drinking Water Regulations, National Standards for Solid Waste Test Methods and EPA Test Procedures for the Analysis of Pollutants. The Department is also proposing to add a new fee to recover the cost, capped at \$10,000 per laboratory for assessors' time and effort in performing on-site assessments.

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

**11. Rulemaking - OAC 252:653 Aquifer Storage and Recovery**

The Department is proposing to amend OAC 252:653, Subchapters 1, 5 and 7 to include changes for clarity, reinserting the fee provision that was removed from the original proposed rules prior to submittal to the Legislature, and to include notification provisions.

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

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

Mr. Thompson's report may include budget and legislative updates as well as significant agency accomplishments and activities since the last Board meeting. This report is for

informational purposes only. Although possible discussion may occur, no action by the Board is required.

**13. Budget Update and Financial Overview (FY 2019) – Kathy Aebischer, DEQ Chief Financial Officer**

Ms. Aebischer's report will include an update and overview of DEQ's current FY 2019 budget. This report is for informational purposes only. Although discussion may occur, no action by the Board is required.

**14. New Business**

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

**15. Next meeting**

The next regular meeting of the Environmental Quality Board is scheduled to be held on Tuesday, June 11, 2019, at 9:30 a.m., in the Multipurpose Room of the Oklahoma Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma 73101.

**16. Adjournment**

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

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