

**MINUTES**  
**Solid Waste Management Advisory Council**  
**July 11, 2019 Regular Meeting**  
**Department of Environmental Quality**  
**Multipurpose Room 707 N. Robinson**  
**Oklahoma City, Oklahoma**

**Official SWMAC Approval**  
**at September 12, 2019 meeting**

**Notice of Public Meeting** - The Solid Waste Management Advisory Council convened for its Regular Meeting at 9:00 a.m. on July 11, 2019, in accordance with the Open Meeting Act, Section 311 of Title 25 of the Oklahoma Statutes. Notice of Regular Meeting was filed to the Office of the Secretary of State on October 11, 2018. Agendas were posted on the entrance doors at the Department of Environmental Quality (DEQ) Central Office in Oklahoma City at least twenty-four hours prior to the meeting. Mr. Jeff Shepherd, Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

**MEMBERS PRESENT**

Todd Adcock  
Rodney Cleveland  
Thomas Lazarski  
Jim Linn  
Brenda Merchant  
Traci Phillips  
Bill Torneten  
Jeff Shepherd

**MEMBERS ABSENT**

Ilda Hershey

**DEQ STAFF PRESENT**

Fenton Rood  
Kelly Dixon  
Lloyd Kirk  
Patrick Riley  
Michelle Wynn  
Amber Edwards  
Kasie Stambaugh  
Kathy Aebischer  
Hillary Young  
Jeff Biddick  
David Cates  
Karen Jayne  
Cindy Hailes  
Ferrella March  
Cliff Hoyle  
Quiana Fields

**OTHERS PRESENT**

Jennifer Kaelin, Court Reporter

**Approval of the Minutes for the September 13, 2018 Solid Waste Management Advisory Council Meeting** – Ms. Phillips moved approval of the September 13, 2018 Minutes and Mr. Linn made the second.

*See transcript pages 4 – 5*

**Roll Call**

|                  |     |                |     |
|------------------|-----|----------------|-----|
| Todd Adcock      | Yes | Traci Phillips | Yes |
| Rodney Cleveland | Yes | Bill Torneten  | Yes |
| Thomas Lazarski  | Yes | Jeff Shepherd  | Yes |
| Jim Linn         | Yes |                |     |
| Brenda Merchant  | Yes |                |     |

**Director's Report** – Ms. Kelly Dixon, Division Director of the Land Protection Division (LPD) provided an update on division activities.

*See transcript pages 5 – 19*

**Discussion of Medical Marijuana Authority Rules** – Mr. Fenton Rood, Assistant Division Director of the LPD, stated the Department is presenting, for discussion purposes only, the development of Medical Marijuana Authority Rules.

*See transcript pages 19 – 34*

**Mr. Cleveland left the meeting.**

**Discussion of Disposal of Coal Combustion Residuals from Electric Utilities** – Mr. Patrick Riley, Environmental Programs Manager of the LPD, stated the Department will provide, for discussion purposes only, an update regarding the status of anticipated federal action relating to Oklahoma's Coal Combustion Residuals permit program.

*See transcript pages 34 – 40*

**Discussion of the Results from the Sharps and Pharmaceuticals Dialogue** – Ms. Amber Edwards, Environmental Programs Manager of the LPD, stated the Department is presenting, for discussion purposes only, results from the Sharps and Pharmaceuticals Dialogue held with industry.

*See transcript pages 40 – 55*

**Discussion of Senate Bill 878 (Tire Program)** – Ms. Ferrella March, Environmental Programs Manager of the LPD, stated the Department is presenting for discussion purposes only, impact of Senate Bill 878 and the changes to the Used Tire Recycling Program.

*See transcript pages 55 – 65*

**Discussion of Senate Bill 1027 (Council Sunset)** – Ms. Karen Jayne, Environmental Attorney of the LPD, stated the Department is presenting, for discussion purposes only, impact of Senate Bill 1027 pertaining to Council sunset dates. Following discussion by the Council and the DEQ staff, Mr. Shepherd recommended the DEQ staff draft a letter regarding the support of the SWMAC and have it presented at the next SWMAC meeting to review. Ms. Merchant moved to approve and Ms. Phillips made the second.

*See transcript pages 65 – 75*

**Roll Call**

|                 |     |               |     |
|-----------------|-----|---------------|-----|
| Todd Adcock     | Yes | Bill Torneten | Yes |
| Thomas Lazarski | Yes | Jeff Shepherd | Yes |
| Jim Linn        | Yes |               |     |
| Brenda Merchant | Yes |               |     |
| Traci Phillips  | Yes |               |     |

**Public Forum** – No public issues were raised.

**New Business** – None

**Adjournment** – Mr. Shepherd called for a motion to adjourn the meeting. Mr. Linn moved to adjourn and Ms. Merchant made the second. Meeting adjourned at 10:35 a.m.

*See transcript pages 76 – 77*

**Roll Call**

|                 |     |               |     |
|-----------------|-----|---------------|-----|
| Todd Adcock     | Yes | Bill Torneten | Yes |
| Thomas Lazarski | Yes | Jeff Shepherd | Yes |
| Jim Linn        | Yes |               |     |
| Brenda Merchant | Yes |               |     |
| Traci Phillips  | Yes |               |     |

**Transcript and Attendance Sheet are attached as an official part of these Minutes.**

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

SOLID WASTE MANAGEMENT ADVISORY COUNCIL

PUBLIC MEETING

JULY 11, 2019 - 9:00 A.M.

Multi-Purpose Room, 1st Floor  
DEQ Building  
707 N. Robinson  
Oklahoma City, OK

REPORTED BY: JENNIFER PAYNE KAE LIN, CSR

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| <p>Page 2</p> <p>1 COUNCIL MEMBERS:</p> <p>2 Mr. Todd Adcock</p> <p>3 Mr. Rodney Cleveland</p> <p>4 Mr. Jeffrey Shepherd - Chairman</p> <p>5 Mr. Thomas Lazarski</p> <p>6 Mr. Jim Linn</p> <p>7 Ms. Traci Phillips</p> <p>8 Mr. Bill Torneten</p> <p>9 Ms. Brenda Merchant - Vice Chairman</p> <p>10 Ms. Ilda Hershey - absent</p> <p>11 ALSO PRESENT:</p> <p>12 Ms. Quiana Fields, Secretary of Board and Council</p> <p>13 Ms. Kelly Dixon, DEQ Assistant Director</p> <p>14 Ms. Ferrella March, DEQ Environmental Programs Manager</p> <p>15 Mr. Fenton Rood, DEQ Land Protection Division</p> <p>16 Ms. Michelle Wynn, DEQ Legislative Liaison</p> <p>17 Mr. Patrick Riley, DEQ Environmental Programs Manager</p> <p>18 Ms. Amber Edwards, DEQ Land Protection Division</p> <p>19 Ms. Karen Jayne, DEQ Attorney Land Protection Division</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Page 4</p> <p>1 MR. JIM LINN: Here.</p> <p>2 MS. QUIANA FIELDS: Ms. Merchant.</p> <p>3 VICE CHAIRMAN BRENDA MERCHANT: Here.</p> <p>4 MS. QUIANA FIELDS: Ms. Phillips.</p> <p>5 MS. TRACI PHILLIPS: Here.</p> <p>6 MS. QUIANA FIELDS: Mr. Torneten.</p> <p>7 MR. BILL TORNETEN: Here.</p> <p>8 MS. QUIANA FIELDS: Mr. Shepherd.</p> <p>9 CHAIRMAN JEFFREY SHEPHERD: Here.</p> <p>10 MS. QUIANA FIELDS: We have a quorum.</p> <p>11 CHAIRMAN JEFFREY SHEPHERD: Good.</p> <p>12 Approval of the minutes for the September 13th,</p> <p>13 2018, Solid Waste Management Advisory Council meeting.</p> <p>14 Do I have a motion?</p> <p>15 MS. TRACI PHILLIPS: I make a motion to</p> <p>16 approve.</p> <p>17 MR. JIM LINN: Second.</p> <p>18 MS. QUIANA FIELDS: Mr. Adcock.</p> <p>19 MR. TODD ADCOCK: Yes.</p> <p>20 MS. QUIANA FIELDS: Mr. Cleveland.</p> <p>21 MR. RODNEY CLEVELAND: Aye.</p> <p>22 MS. QUIANA FIELDS: Mr. Lazarski.</p> <p>23 MR. THOMAS LAZARSKI: Yes.</p> <p>24 MS. QUIANA FIELDS: Mr. Linn.</p> <p>25 MR. JIM LINN: Yes.</p>                                                                                                                                                           |
| <p>Page 3</p> <p>1 CALL TO ORDER - 9:01 a.m.</p> <p>2 CHAIRMAN JEFFREY SHEPHERD: This July 11th,</p> <p>3 2019 meeting of the Solid Waste Management Advisory</p> <p>4 Council was called in accordance with the Open Meeting</p> <p>5 Act.</p> <p>6 Notice was filed with the Secretary of State on</p> <p>7 October the 11th, 2018. The Agenda was duly posted on</p> <p>8 the doors of the DEQ, 707 North Robinson, Oklahoma City,</p> <p>9 Oklahoma, at least 24 hours prior to the meeting.</p> <p>10 Only matters appears on the posted Agenda may be</p> <p>11 considered at this regular meeting. In the event that</p> <p>12 this meeting is continued or reconvened, public notice of</p> <p>13 the date, time, and place of the continued meeting will</p> <p>14 be given by announcement at this meeting. Only matters</p> <p>15 appearing on the Agenda of a meeting which is continued</p> <p>16 may be discussed at the continued or reconvened meeting.</p> <p>17 Roll call.</p> <p>18 MS. QUIANA FIELDS: Mr. Adcock.</p> <p>19 MR. TODD ADCOCK: Here.</p> <p>20 MS. QUIANA FIELDS: Mr. Cleveland.</p> <p>21 MR. RODNEY CLEVELAND: Here.</p> <p>22 MS. QUIANA FIELDS: Ms. Hershey is absent.</p> <p>23 Mr. Lazarski.</p> <p>24 MR. THOMAS LAZARSKI: Here.</p> <p>25 MS. QUIANA FIELDS: Mr. Linn.</p> | <p>Page 5</p> <p>1 MS. QUIANA FIELDS: Ms. Merchant.</p> <p>2 VICE CHAIRMAN BRENDA MERCHANT: Yes.</p> <p>3 MS. QUIANA FIELDS: Ms. Phillips.</p> <p>4 MS. TRACI PHILLIPS: Yes.</p> <p>5 MS. QUIANA FIELDS: Mr. Torneten.</p> <p>6 MR. BILL TORNETEN: Yes.</p> <p>7 MS. QUIANA FIELDS: Mr. Shepherd.</p> <p>8 CHAIRMAN JEFFREY SHEPHERD: Yes.</p> <p>9 MS. QUIANA FIELDS: Motion passed.</p> <p>10 All right. Director's report. Ms. Dixon.</p> <p>11 MS. KELLY DIXON: Is this on?</p> <p>12 CHAIRMAN JEFFREY SHEPHERD: No.</p> <p>13 MS. KELLY DIXON: I thought I turned this</p> <p>14 on.</p> <p>15 CHAIRMAN JEFFREY SHEPHERD: There you go.</p> <p>16 MS. KELLY DIXON: Okay.</p> <p>17 Good morning, everyone.</p> <p>18 CHAIRMAN JEFFREY SHEPHERD: Good morning.</p> <p>19 MS. KELLY DIXON: Today I wanted to share</p> <p>20 some updates from our agency that you don't -- might not</p> <p>21 hear about in this venue very often and also, then, some</p> <p>22 updates about things that are going on in our division</p> <p>23 that are other than solid waste.</p> <p>24 As you know, we have a strategic plan and we've just</p> <p>25 completed our first year of that. And one of the focuses</p> |

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| <p style="text-align: right;">Page 6</p> <p>1 of that, that we're working on right now, is reducing<br/>2 permit timelines by 25 percent. The chief engineers in<br/>3 all of our divisions are working on that and are using<br/>4 the exercise that we did in solid waste several years ago<br/>5 to inform how they -- how they proceed with that.<br/>6 We also, on Monday, are going to have a brand new<br/>7 web page, July 15th. This is kind of a big deal because<br/>8 our web page is so out of date, and it's going to be<br/>9 customer-focused and much easier to navigate, we hope.<br/>10 So we hope you look at it and give us feedback. We're<br/>11 hoping to continuously improve it.<br/>12 We also worked recently on a DEQ legislative<br/>13 dashboard, which is really kind of cool, and it's -- it<br/>14 breaks things out by legislative districts where you can<br/>15 go by legislative districts and look at what's going on<br/>16 in that district. And we have story maps that tell<br/>17 stories about different things/projects going on across<br/>18 the agency. So I would encourage you to go look at that<br/>19 in your spare time. You find -- you can find it on our<br/>20 web page by going to the data viewer and there's some --<br/>21 a clickable link that will take you to that dashboard.<br/>22 And on the budget front, our budget was impacted by<br/>23 the legislative action this year. We received a<br/>24 23 percent increase in appropriations for lab equipment,<br/>25 rural water programs, and employee pay raises. Those pay</p> | <p style="text-align: right;">Page 8</p> <p>1 inspection process.<br/>2 CHAIRMAN JEFFREY SHEPHERD: Sure.<br/>3 MS. KELLY DIXON: The bill does not exempt<br/>4 companies from reporting where the law requires them to<br/>5 report to us, so that doesn't change that requirement.<br/>6 And we're -- we are working on implementation guidelines<br/>7 for that bill.<br/>8 There's other bills that are the subject of today's<br/>9 Agenda, that Patrick is going to go over. And then<br/>10 Karen Jayne, our attorney, will go over another bill that<br/>11 you guys might be interested in later. It's on the<br/>12 Agenda for later.<br/>13 So the thing I really want to talk about are the<br/>14 projects that are -- that this agency has initiated that<br/>15 are pretty interesting. One of the most notable one is<br/>16 the water loss audits that are being performed by our<br/>17 Water Quality Division. They work with communities and<br/>18 public water supplies and help them identify leaks and<br/>19 water loss so they can fix them, and they help them find<br/>20 financing to fix them.<br/>21 They're using drone technology to do inspections of<br/>22 water towers and things, which helps save -- it's more<br/>23 safe than climbing up the water tower for an inspection.<br/>24 And what we're finding is that people are finding so much<br/>25 loss in their water systems, they're saving water and</p>                                    |
| <p style="text-align: right;">Page 7</p> <p>1 raises were effective July of this year.<br/>2 There was also a legislative sweep of \$6 million<br/>3 from our revolving money, which is fee money. That sweep<br/>4 is going to impact our ability to perform projects. So<br/>5 what we're doing is projects that cross fiscal years are<br/>6 going to have to use remaining FY '19 and FY '20 money,<br/>7 so we may not be able to start all the planned projects<br/>8 we have for next year. However, we have -- we're<br/>9 projecting similar revenue going forward so we're hoping<br/>10 that we can do all the projects that we have planned.<br/>11 On the legislative front, other than the budget,<br/>12 several bills were passed that relate to increased<br/>13 legislative oversight of State agencies sort of in the<br/>14 name of transparency, and this is going to add more<br/>15 reporting burden to our agency.<br/>16 Also, this is something that could affect your<br/>17 facilities, the Privileged Audit Act. I don't know if<br/>18 you've heard of this one. But it provides facilities the<br/>19 ability to perform self-audits and keep those audits<br/>20 privileged. And it's modeled after a law that has been<br/>21 in effect for Texas for over 20 years.<br/>22 There's a lot of support for this bill, and I -- the<br/>23 thinking is that companies will discover more issues.<br/>24 They'll be more thorough in a self-audit and correct them<br/>25 and get back into compliance quicker than through the</p>                                       | <p style="text-align: right;">Page 9</p> <p>1 they're also saving money, so it's a really great<br/>2 program.<br/>3 Staff in our lab have been doing an outreach<br/>4 campaign called Science in 60 Seconds. If you guys<br/>5 follow us on Facebook, you've probably seen them.<br/>6 They're -- it's really cute. It's very engaging, very<br/>7 informative. So if you don't follow us on Facebook, you<br/>8 might want to look at those. Those are really neat.<br/>9 And even Kole Kennedy, who you guys know, not here<br/>10 today, he's been working on a campaign with<br/>11 Air Quality called Carpool Conversations, and it -- you<br/>12 know, it focuses on teaching people something, a little<br/>13 niblet about air quality, so it's -- it's pretty fun.<br/>14 The Air Quality Division is managing a portion of<br/>15 the VW Settlement by awarding grants. The grant<br/>16 applications have included school bus conversation to<br/>17 alternate fuels and electric vehicle charging stations,<br/>18 so we'll see what happens with those. I think they're<br/>19 just getting applications in right now.<br/>20 In our division, some exciting news. Last year we<br/>21 completed construction of a Superfund site in<br/>22 Collinsville, the Tulsa fuels and manufacturing smelter<br/>23 site. It was covered with smelter waste and debris. We<br/>24 capped and consolidated it, vegetated it. So this is the<br/>25 success. It's been vegetated.</p> |

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| <p style="text-align: right;">Page 10</p> <p>1 And the local beekeeper went to the property owner<br/>2 and negotiated a deal to put some of his beehives on the<br/>3 vegetation, which is full of clover and all kinds of<br/>4 stuff, so it's a great reuse for a site like that.<br/>5 We also have another Superfund reuse in the City of<br/>6 Henryetta. It was a former -- another former smelter<br/>7 site that was cleaned up years ago and hasn't had much<br/>8 reuse. And a Regional Healthcare Authority located<br/>9 there. They got -- they had grants from the federal<br/>10 government and had to work with the City to -- to put in<br/>11 clean corridors for their building, but that's another<br/>12 great health use. I mean, reuse. I'm sorry.<br/>13 And when you look at the bulk of -- we have a<br/>14 variety of clean-up programs. When you look at the bulk<br/>15 of them, one of the most interesting things that stands<br/>16 out to me, since 2014, there's been over 14 concert<br/>17 venues that have been a reuse from a contaminated<br/>18 property across Oklahoma, like Wheeler -- the<br/>19 Wheeler Park District is -- is a good example of that.<br/>20 And then Tar Creek. You guys know a little bit<br/>21 about Tar Creek. We are completing, with EPA, a<br/>22 strategic plan that really focuses on getting to an<br/>23 endpoint more quickly. It was on EPA's top ten list last<br/>24 year. If you don't know much about it, it was a historic<br/>25 lead and zinc hardrock mining district in far northeast</p> | <p style="text-align: right;">Page 12</p> <p>1 going to talk to you about a really exciting project with<br/>2 ground tire rubber.<br/>3 MS. FERRELLA MARCH: Good morning,<br/>4 everybody.<br/>5 CHAIRMAN JEFFREY SHEPHERD: Good morning.<br/>6 MS. FERRELLA MARCH: It's good to see<br/>7 everyone. I know it's been awhile since I've seen<br/>8 you-all. And for those of you who do not know who I am,<br/>9 I am Ferrella March and I manage the Used Tired Recycling<br/>10 Program.<br/>11 And so today I just wanted to report on an exciting<br/>12 project. It's a collaborative project. We receive a<br/>13 grant from the State Transportation Innovation Council.<br/>14 It's a collaborative project with the Oklahoma Department<br/>15 of Transportation, the Federal Highways Administration,<br/>16 and us, and then also O.U. is getting involved in it.<br/>17 I want to back up for just a minute, though, and<br/>18 talk about how -- if you-all remember that we are<br/>19 actually -- the program is charged with developing<br/>20 markets and trying to figure out ways to use waste tires.<br/>21 That's one of the things that we've been trying to do<br/>22 over many, many years now. And especially now, it's very<br/>23 important. Because even the TDF markets are kind of --<br/>24 are down right now, and that's -- that's a national<br/>25 trend, and so it's really important that we look at other</p>                                                                                                                    |
| <p style="text-align: right;">Page 11</p> <p>1 Oklahoma that has contaminated groundwater, soil, surface<br/>2 water, and has contaminated people actually. It was<br/>3 Oklahoma's first Superfund site in 1980.<br/>4 Since then we've done a lot to get people out of<br/>5 harm's way. And the most notable things that have<br/>6 happened this past year are -- is the construction of<br/>7 second passage treatment wetlands, which knocks metals<br/>8 out of the surface water and improves the water quality.<br/>9 So we're -- we're excited about that.<br/>10 It's also the first site in the nation where the<br/>11 State has contracted with the tribe to do<br/>12 construction/clean-up work, so that's a first. And it's<br/>13 also the first site where EPA has awarded money directly<br/>14 to a tribe to do construction on restricted lands. So<br/>15 they're -- the Quapaw Nation is doing a lot of work up<br/>16 there for us.<br/>17 In September, that's when we have our annual<br/>18 expenditure report, and we will -- Patrick will be<br/>19 highlighting all of the great projects that have happened<br/>20 in the solid waste world, so I'm not going to cover that<br/>21 today. So you'll have to stay tuned for the next<br/>22 meeting.<br/>23 So lastly, we continue to help industry find new<br/>24 ways to beneficially reuse waste. I'm going to turn<br/>25 this, the microphone, over to Ferrella March, who is</p>                                                                                                          | <p style="text-align: right;">Page 13</p> <p>1 beneficial uses or end uses of waste tires.<br/>2 So this particular project is -- what we're doing is<br/>3 we're using ground rubber -- ground tire rubber in<br/>4 asphalt. And instead of using the wet process that, you<br/>5 know, it -- that's something that we've looked at before,<br/>6 and even ODOT has experimented with it before, we're now<br/>7 using a dry process. It's a more cost-effective process,<br/>8 so we're hoping that this will take off.<br/>9 The project is located at OK-4 and OK-3 going west,<br/>10 and it's -- it's about a one-lane mile project. We put<br/>11 this down early July, so we don't have any results yet.<br/>12 But we are staying tuned, we're -- we're checking it out<br/>13 and we're making sure that everything is going smoothly.<br/>14 So just a minute let me tell you a little bit about<br/>15 what the dry process is versus the wet process. So the<br/>16 dry process, basically, the crumb rubber generally isn't<br/>17 as fine of a mesh, but it's mixed into the hot or the<br/>18 warm asphalt at the plant. Oh, and it's -- and it's --<br/>19 it's injected over the hot aggregates and then it's laid<br/>20 down on the roadway.<br/>21 So the contractor was actually pretty pleased with<br/>22 it. This is an engineered ground tire rubber, which<br/>23 means that it reduces the stickiness, and the stickiness<br/>24 is what really created problems for the contractors<br/>25 before. So this is a new process, much more</p> |

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| <p style="text-align: right;">Page 14</p> <p>1 cost-effective, easier to lay down, it doesn't gunk up<br/>2 the machines. The contractor is very happy with it. So<br/>3 I think that it's going to be really good. Hopefully<br/>4 we'll get some really good results from it.<br/>5 And, like I said, O.U. is going to be involved in<br/>6 doing some testing, so some field testing, and they'll<br/>7 also take some core samples and do some testing back in<br/>8 the lab.<br/>9 MR. BILL TORNETEN: How do you get the<br/>10 steel out of the tires?<br/>11 MS. FERRELLA MARCH: Okay. So that's a<br/>12 really good question. So the question was: How do you<br/>13 get the steel out of the tires?<br/>14 Well, in the -- when you process the tires and you<br/>15 turn it into crumb rubber, you're actually removing the<br/>16 steel and the flop, so this is just the rubber. This is<br/>17 just a piece -- it's just the rubber.<br/>18 And oftentimes -- like our processors right now in<br/>19 Oklahoma, they can -- they can process the tire to a<br/>20 crumb rubber, like a small -- like a small size. But to<br/>21 get it small enough to where we can use it in<br/>22 rubber-modified asphalt, it generally needs to be sent<br/>23 off and processed even further. So it's kind of a finer<br/>24 mesh size. So 30-inch minus is generally the mesh size<br/>25 that they're looking for with this type of project.</p> | <p style="text-align: right;">Page 16</p> <p>1 MR. THOMAS LAZARSKI: Ferrella, this is a<br/>2 demonstration project, correct?<br/>3 MS. FERRELLA MARCH: Correct.<br/>4 MR. THOMAS LAZARSKI: So if we wanted to<br/>5 bring this more statewide, for example, would the State<br/>6 DOT, you know, perhaps create a standard for asphalt<br/>7 mixes with this?<br/>8 MS. FERRELLA MARCH: And that's a really<br/>9 good question, and I should have touched on that.<br/>10 So yes, this whole project is for that -- for that<br/>11 purpose. And so that's -- ODOT is very excited about<br/>12 this, and they are in the process of developing a<br/>13 specification for use of crumb rubber.<br/>14 MR. THOMAS LAZARSKI: Okay.<br/>15 MS. FERRELLA MARCH: So it's not unlike --<br/>16 if you-all are familiar with reclaimed asphalt pavement,<br/>17 it's a very similar process to that.<br/>18 So yeah, we're very hopeful that we'll be -- that<br/>19 ODOT will be developing a specification for the use of<br/>20 ground tire rubber in asphalt.<br/>21 VICE CHAIRMAN BRENDA MERCHANT: Ferrella,<br/>22 is this already done elsewhere? I mean, is this already<br/>23 in use somewhere else besides -- I mean, are we the first<br/>24 ones doing this or --<br/>25 MS. FERRELLA MARCH: No, we're not. This</p>                                                                                                                          |
| <p style="text-align: right;">Page 15</p> <p>1 With the dry process, you can use a little bit<br/>2 bigger particulate size. But on the most part, it's a<br/>3 lot smaller than what we can produce here in Oklahoma.<br/>4 The chemically-engineered crumb rubber, that would<br/>5 take some specialized equipment. So hopefully we can get<br/>6 our processors onboard with maybe looking into this as a<br/>7 viable market.<br/>8 Any other questions?<br/>9 MR. JIM LINN: Ferrella, what benefit<br/>10 does -- does the crumb rubber act as a binding agent in<br/>11 the asphalt? What part does it play?<br/>12 MS. FERRELLA MARCH: Sure. So the crumb<br/>13 rubber actually improves the quality of the asphalt, so<br/>14 it -- it actually bumps up the performance grade. So<br/>15 instead of just your -- your basic performance grade, it<br/>16 would -- it would serve a purpose like a polymer would,<br/>17 so it increases that performance grade.<br/>18 It also just increases the quality of the roadway,<br/>19 and it also -- there's a safety factor, too. So, you<br/>20 know, you've driven down roads before, especially here in<br/>21 Oklahoma, and there's spray everywhere. Roads that use<br/>22 crumb rubber typical don't have as much spray. They stay<br/>23 blacker longer and they just last longer.<br/>24 MR. JIM LINN: Thank you.<br/>25 MS. FERRELLA MARCH: Uh-huh.</p>                                | <p style="text-align: right;">Page 17</p> <p>1 has been something that has been of interest nationwide<br/>2 for a while now. Arizona is probably the first state<br/>3 that has utilized ground tire rubber in asphalt, although<br/>4 they're still using the wet process.<br/>5 Georgia right now is using a lot of ground tire<br/>6 rubber in their asphalt, and they're using the dry<br/>7 process. Texas has used ground tire rubber for a while.<br/>8 They're starting to become more interested in the dry<br/>9 process. Again, the dry process is just a more<br/>10 cost-effective way of getting the rubber into the<br/>11 asphalt.<br/>12 MS. TRACI PHILLIPS: Where is OK-4 and<br/>13 OK-403?<br/>14 MS. FERRELLA MARCH: Okay. Yes, OK-4 and<br/>15 OK-3, yes. For those of you who do not live in<br/>16 Oklahoma City, so OK -- OK-3 is Northwest Expressway and<br/>17 OK-4, I believe, is Mustang Road. I believe that's -- so<br/>18 it's going to be, you know, out past the turnpike. So it<br/>19 will be west of the Kilpatrick Turnpike as you -- as you<br/>20 go west on Northwest Expressway toward Okarche.<br/>21 MR. JIM LINN: So, Ferrella, how will --<br/>22 let's pull the threat out a little farther. How -- how<br/>23 will this work in the future with respect to -- for<br/>24 example, the City of Oklahoma City's S tire program? So<br/>25 would we continue to collect the tires as we do? I think</p> |

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1 we collected over 3,000 of them last fiscal year and off  
2 the City's rights of way. But how would -- would the  
3 State specify for its roadways that, for example, this  
4 process be utilized? Is that how that would -- and then  
5 how would -- how would the collection of the tires be  
6 impacted once it leaves our site?  
7 MS. FERRELLA MARCH: Sure. I -- I don't  
8 really think that the way we -- the way the program works  
9 will be affected. This is really just an end use. It's  
10 a market. It's a viable market.  
11 MR. JIM LINN: Uh-huh.  
12 MS. FERRELLA MARCH: What it will do --  
13 what it will, I think do, is help us get the tires picked  
14 up quicker if we can really develop this market, because  
15 there will be a higher demand for the waste tires.  
16 MR. JIM LINN: That sounds great.  
17 MS. FERRELLA MARCH: That sounds really  
18 great. I know right now, it -- you know, because some of  
19 the other markets are just not doing very well, it's --  
20 it's very difficult for our processors to -- you know,  
21 they have to go pick up the tires, they'll process the  
22 tires. And in the end, we want somewhere for that -- for  
23 the product -- or the end product to go. And so this  
24 will really help them if we can help develop those  
25 markets further.

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1 Did that answer your question?  
2 MR. JIM LINN: Yes, ma'am.  
3 MS. FERRELLA MARCH: Okay. Anything other  
4 questions?  
5 (No response.)  
6 MS. FERRELLA MARCH: Okay. Thank you.  
7 MR. JIM LINN: Thanks, Ferrella.  
8 CHAIRMAN JEFFREY SHEPHERD: Thank you.  
9 Is that it for the Director's report, Kelly?  
10 MS. KELLY DIXON: Yes.  
11 CHAIRMAN JEFFREY SHEPHERD: Okay.  
12 Number 5, Discussion of Medical Marijuana Authority  
13 Rules. The Department is presenting, for discussion  
14 purposes only, the development of Medical Marijuana  
15 Authority Rules.  
16 Fenton.  
17 MR. FENTON ROOD: So our discussion today  
18 is timely. Changes in the State Medical Marijuana  
19 Regulatory program were in the news yesterday and again  
20 today, so let me begin by putting that in context.  
21 When the voters adopted medical marijuana, one of  
22 the most charitable things I could say about the State  
23 question is that it was not drafted by an attorney, and  
24 it left a lot of holes in terms of developing the  
25 comprehensive regulatory structure.

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1 So we had several bills pass in the last  
2 legislature. One was a large bill that came to be known  
3 as the Unity Bill that attempted to fix a number of the  
4 problems with the State question. And that Unity Bill is  
5 what the news has been covering lately in terms of  
6 changes that it will bring about, and that Unity Bill  
7 goes into effect towards the end of August.  
8 Now, there was also a separate marijuana waste  
9 management bill that, first of all, goes into effect in  
10 November, so it does not apply yet. And it creates a  
11 licensing structure for medical marijuana waste  
12 management companies. It limits the number of licenses  
13 that can be issued in the first year to ten. And we  
14 are -- last week we had our first meeting with the  
15 Medical Marijuana Authority to coordinate regulatory  
16 programs, because nothing in the new law eliminates or  
17 affects DEQ's authorities and responsibilities that we  
18 normally pursue in terms of waste management.  
19 So in terms of the big picture, that's where we  
20 stand right now. There will be continual changes as the  
21 OMMA creates new regulations. I don't think that the  
22 changes in the law will require this body to consider any  
23 rules, but our Air Quality Council may be revising rules  
24 to reflect some of the requirements in the Act.  
25 So I'd be glad to talk more specifics or address the

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1 questions that you might have.  
2 MR. BILL TORNETEN: What is medical  
3 marijuana waste? Is it stems and seed?  
4 MS. TRACI PHILLIPS: That's what I was --  
5 (Laughter.)  
6 MR. FENTON ROOD: Actually, the waste law  
7 exempts most of the production waste that is low in THC.  
8 So it talks about root balls, stalks, stems, fan leaves.  
9 So a producer can do just about whatever they want to do  
10 with that material. And so a producer could also choose  
11 not to manage it themselves and contract with one of the  
12 waste -- marijuana waste licensees.  
13 But then also remember that we've got a number of  
14 food products that are being marketed in dispensaries  
15 that will have an expiration date. And so it could  
16 include moldy brownies, it could include processed  
17 wastes.  
18 We just recently read of an account in California  
19 where a processor had drums of waste ethanol that they'd  
20 used to process the product, and they illegally dumped  
21 the ethanol drums. So it's -- it's still very much the  
22 wild west. We're developing the infrastructure.  
23 CHAIRMAN JEFFREY SHEPHERD: Why do we need  
24 to have licensed marijuana waste haulers? Aren't the  
25 national companies capable of hauling that waste? Is it



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1 just a -- is it another attempt to gathered up licensing  
2 fees?  
3 MR. FENTON ROOD: So under the new Oklahoma  
4 law --  
5 VICE CHAIRMAN BRENDA MERCHANT: Yes.  
6 MR. FENTON ROOD: -- a licensee, for  
7 marijuana waste, must be at least 75 percent  
8 Oklahoma-owned.  
9 MR. JIM LINN: Oh.  
10 MS. TRACI PHILLIPS: Wow.  
11 VICE CHAIRMAN BRENDA MERCHANT: Isn't that  
12 hilarious?  
13 CHAIRMAN JEFFREY SHEPHERD: It is.  
14 (Laughter.)  
15 MR. FENTON ROOD: So Brenda works for  
16 Waste Connections. Waste Connections --  
17 CHAIRMAN JEFFREY SHEPHERD: Todd, that's  
18 all you, bud.  
19 (Multiple speakers.)  
20 MR. TODD ADCOCK: Can I get an application?  
21 (Laughter.)  
22 MR. FENTON ROOD: Waste Connections is in  
23 this business in Colorado.  
24 VICE CHAIRMAN BRENDA MERCHANT: Uh-huh.  
25 CHAIRMAN JEFFREY SHEPHERD: But they're not

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1 75 percent Oklahoma-owned, I don't think, are they?  
2 VICE CHAIRMAN BRENDA MERCHANT: No, no.  
3 We're publically-traded.  
4 CHAIRMAN JEFFREY SHEPHERD: That sucks.  
5 I just don't -- it -- it just seems -- we just seem  
6 to be adding layers and layers and layers of regulations  
7 upon this -- this industry that -- I -- I don't  
8 understand why we can't look at other states that have  
9 been doing it far longer than us and sort of, you know,  
10 copy what they're doing.  
11 MS. TRACI PHILLIPS: Exactly.  
12 CHAIRMAN JEFFREY SHEPHERD: I mean, why do  
13 we have -- I mean, it's just a -- I mean, are we going to  
14 have a special marijuana dispense -- marijuana waste  
15 landfill at some point?  
16 MR. FENTON ROOD: So --  
17 (Laughter.)  
18 MR. FENTON ROOD: So to address the first  
19 part of your question --  
20 MR. TODD ADCOCK: I'll take one, too.  
21 CHAIRMAN JEFFREY SHEPHERD: Yeah, no  
22 kidding.  
23 (Laughter.)  
24 MS. MICHELLE WYNN: Do I need to say what  
25 you don't want to?

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1 (Laughter.)  
2 MR. FENTON ROOD: Well, I was simply going  
3 to say that I serve on the Food Safety Standards Board  
4 that advises the Medical Marijuana Authority, and one of  
5 our members is from the Bureau of Narcotics and he very  
6 directly encouraged us to follow Colorado's example.  
7 CHAIRMAN JEFFREY SHEPHERD: Huh.  
8 VICE CHAIRMAN BRENDA MERCHANT: Good for  
9 him.  
10 MR. FENTON ROOD: So I think what we're  
11 going to see will mirror Colorado.  
12 And will we have a marijuana waste landfill? I  
13 don't see how anyone could ever afford to do that.  
14 MR. RODNEY CLEVELAND: Well, the other  
15 thing, too --  
16 VICE CHAIRMAN BRENDA MERCHANT: Fenton --  
17 MR. RODNEY CLEVELAND: The other thing is  
18 it is federally-regulated. So federally it's still  
19 illegal.  
20 CHAIRMAN JEFFREY SHEPHERD: I understand  
21 that.  
22 MR. RODNEY CLEVELAND: All right. So -- so  
23 with anything that we do, we have to stay within,  
24 basically, a state's rights.  
25 I'm going to the National Association of Counties,

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1 and the marijuana industry has a -- you know, they --  
2 they have quite a few presentations. Because it -- you  
3 know, we, and a lot of other states, it's on a county  
4 level that regulates --  
5 CHAIRMAN JEFFREY SHEPHERD: Uh-huh.  
6 MR. RODNEY CLEVELAND: -- and collects the  
7 taxes and regulates it. And so all these -- this is a  
8 highly-regulated product.  
9 Until the federal government either reclassifies it,  
10 so it could be deregulated, we're going to be regulating  
11 it. That's the unfortunate thing. So until -- so until  
12 the federal government actually reclassifies it, we're  
13 going to have to keep layering -- keep layering these --  
14 these requirements in there.  
15 CHAIRMAN JEFFREY SHEPHERD: I mean,  
16 Colorado doesn't have a marijuana waste hauling license  
17 requirement, does it?  
18 VICE CHAIRMAN BRENDA MERCHANT: No, they  
19 don't.  
20 I guess the concern I have is that you are -- these  
21 folks that are out there and that are growers or  
22 dispensaries, et cetera, you are extremely limiting where  
23 they can take their waste. And when you've got a state  
24 full of landfills, you know, I mean -- and if you're  
25 located in a certain part of the state and you -- it's

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1 got to be hauled clear to the other end of the state, I  
2 see -- I just see it as cost-prohibitive.  
3 CHAIRMAN JEFFREY SHEPHERD: Uh-huh. Will  
4 the waste not be able to go to a regular Subtitle D  
5 landfill, or will it have to go up to --  
6 VICE CHAIRMAN BRENDA MERCHANT: If it's  
7 Oklahoma -- if it's 75 percent Oklahoma-owned landfill  
8 and they've got one of those ten licenses.  
9 MR. FENTON ROOD: So DEQ believes that all  
10 this material can very safely go to a landfill.  
11 MS. MICHELLE WYNN: Let me say something  
12 real quick.  
13 MR. FENTON ROOD: Now, Michelle Wynn is our  
14 legislative representative and some of your questions  
15 bordered on the politics around the proposal.  
16 (Laughter.)  
17 MS. MICHELLE WYNN: Yes.  
18 MR. FENTON ROOD: So let me let Michelle  
19 now --  
20 MS. MICHELLE WYNN: So I think that it's  
21 appropriate for me to make these statements so that no  
22 one else does.  
23 (Laughter.)  
24 MS. MICHELLE WYNN: The legislation itself  
25 was a private-entity driven. It was not driven by us or

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1 OMA or the Health Department. What we did was attach  
2 ourselves to it in a way that we can still help with the  
3 regulation. Maybe that answered a few of your questions.  
4 MR. RODNEY CLEVELAND: That's Colorado.  
5 CHAIRMAN JEFFREY SHEPHERD: I guess some  
6 guy driving around in a pickup truck picking up stems and  
7 seeds.  
8 (Laughter.)  
9 MR. RODNEY CLEVELAND: Going to have to  
10 have a short list --  
11 (Multiple speakers.)  
12 CHAIRMAN JEFFREY SHEPHERD: Any other  
13 questions for Fenton?  
14 MS. TRACI PHILLIPS: Is the primary concern  
15 for wastewater? I'm trying to -- the stems and seeds  
16 include this THC residue. Is that carried in the water?  
17 I'm just trying to understand the contamination factors  
18 or --  
19 CHAIRMAN JEFFREY SHEPHERD: Don't look at  
20 me.  
21 MR. FENTON ROOD: So the concern about any  
22 material that contains THC is primarily around diversion,  
23 not environmental issues. And remember, most of the  
24 waste generated from a growing operation has been  
25 exempted. But a processor is going to have waste and a

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1 dispensary is going to have waste.  
2 Now, we're not talking about regular garbage from a  
3 dispensary. We're talking about only the marijuana  
4 material that they would have to track on their inventory  
5 control system.  
6 VICE CHAIRMAN BRENDA MERCHANT: And like  
7 Michelle said there is someone who wants this business.  
8 MS. TRACI PHILLIPS: Well, yeah. So I -- I  
9 understand that piece of it. But I guess -- I think I  
10 have two questions just so for my own knowledge.  
11 (Multiple speakers.)  
12 MS. TRACI PHILLIPS: But one: What is  
13 the -- I guess I'm not following what the health or  
14 environmental risks are with this waste.  
15 Okay. And then two: Are we -- is there a volume  
16 limit or requirement or -- under this proposed  
17 legislation of --  
18 MR. FENTON ROOD: The legislation does not  
19 address volume. It simply defines what the waste is.  
20 Now, I would expect OMA to make regulations around  
21 issues like security.  
22 MS. TRACI PHILLIPS: Yeah.  
23 MR. FENTON ROOD: So we'll be involved in  
24 that effort.  
25 MS. TRACI PHILLIPS: From what I

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1 understand, from a producer standpoint, you have people  
2 growing stuff in their homes and selling to dispensaries,  
3 you know, or -- and then you have farms and --  
4 CHAIRMAN JEFFREY SHEPHERD: I don't think  
5 they're allowed to do that.  
6 MR. TODD ADCOCK: No, you --  
7 MS. TRACI PHILLIPS: Okay.  
8 MR. TODD ADCOCK: Yeah.  
9 CHAIRMAN JEFFREY SHEPHERD: You grow in  
10 your house for your own consumption.  
11 MR. TODD ADCOCK: Yeah --  
12 MS. TRACI PHILLIPS: Okay.  
13 MR. TODD ADCOCK: -- if you have a license.  
14 MS. TRACI PHILLIPS: So for personal use --  
15 (Multiple speakers.)  
16 MR. TODD ADCOCK: Yeah. If you have a  
17 license, you can --  
18 CHAIRMAN JEFFREY SHEPHERD: Eight plants  
19 or --  
20 MR. TODD ADCOCK: Something like that.  
21 MS. TRACI PHILLIPS: Yeah.  
22 VICE CHAIRMAN BRENDA MERCHANT: So can that  
23 be in your polycart when you're -- the waste in  
24 your --  
25 MR. JIM LINN: Hey now.

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1 (Multiple speakers.)  
2 (Laughter.)  
3 VICE CHAIRMAN BRENDA MERCHANT: The waste  
4 in your --  
5 CHAIRMAN JEFFREY SHEPHERD: Just put it in  
6 the bottom of the polycart and then stack a whole bunch  
7 of stuff on top.  
8 VICE CHAIRMAN BRENDA MERCHANT: Yeah.  
9 (Laughter.)  
10 MR. TODD ADCOCK: There is security on --  
11 on growing facilities that -- that are very, very strict  
12 through OMMA. I know that.  
13 On -- from the -- from the beginning of this, I've  
14 always just thought that this should be treated like  
15 nonhazardous industrial waste. If you want to -- if you  
16 want to track it, I mean, classify it as NHIW, have it  
17 tested before it goes to a landfill for hazardous  
18 material, whether that --  
19 Like we said, the growing part of it, that's  
20 agriculture basically. But if in the production of the  
21 various forms that the THC is delivered in; in food and  
22 drink, and the -- the other various forms, that's -- the  
23 waste that comes out of that, I'm not familiar with. But  
24 that should be tested. If it's nonhazardous, manifest  
25 it. If there's a paper trail, it ends up coming to the

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1 DEQ in reporting. That makes the most sense to me.  
2 And is that -- do you -- is that where we're going,  
3 or do we -- or do we just not know at this point?  
4 MR. FENTON ROOD: So let me address  
5 something Brenda said first and then I'll get back to  
6 your point.  
7 You were joking about what to do with the waste when  
8 you do your home grow. We actually, at one our regional  
9 offices, had several bags of plant waste dumped at our  
10 dumpster, so...  
11 But to Todd's concerns, when Michelle told you that  
12 we sort of attached ourselves to the legislative process,  
13 one of the things that we continually tried to do was to  
14 tell the legislators, and now the Oklahoma Medical  
15 Marijuana Authority, that the waste companies are already  
16 in the business of tracking and demonstrating proper  
17 disposal to their customers.  
18 VICE CHAIRMAN BRENDA MERCHANT: Yes.  
19 CHAIRMAN JEFFREY SHEPHERD: Uh-huh, yeah.  
20 (Mr. Rodney Cleveland exited the meeting at 9:40 a.m.)  
21 VICE CHAIRMAN BRENDA MERCHANT: Well,  
22 it's -- Oklahoma -- this is not like Oklahoma invented  
23 growing marijuana --  
24 CHAIRMAN JEFFREY SHEPHERD: Been doing it  
25 for years.

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1 VICE CHAIRMAN BRENDA MERCHANT: -- or  
2 disposing of the waste. There really are people,  
3 like the people in Colorado who have done this for quite  
4 awhile, and I can't imagine that it's -- the stuff they  
5 grow there is so different from the stuff that's being  
6 sold and grown here.  
7 MR. FENTON ROOD: One of the activities  
8 I've got planned for the next two or three weeks is to  
9 take the OMMA compliance coordinator to the largest  
10 landfill in Oklahoma City.  
11 VICE CHAIRMAN BRENDA MERCHANT: Yea.  
12 CHAIRMAN JEFFREY SHEPHERD: Make sure it's  
13 clean.  
14 (Laughter.)  
15 MR. BILL TORNETEN: How are drug wastes  
16 managed? They have special rules and requirements and --  
17 MR. FENTON ROOD: So in the pharmaceutical  
18 industry there is a class of companies called reverse  
19 distributors, and they are in the business of picking up  
20 product that can no longer be used and ensuring proper  
21 disposal.  
22 CHAIRMAN JEFFREY SHEPHERD: I think they're  
23 trying to get people from dumping it down their toilets.  
24 The pill buy-back and -- it's a plan that was done with  
25 the guy in Tulsa. What's his name? The power -- the

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1 waste incinerator. Didn't they sponsor a deal?  
2 (Multiple speakers.)  
3 VICE CHAIRMAN BRENDA MERCHANT: Yeah,  
4 Covanta.  
5 CHAIRMAN JEFFREY SHEPHERD: Covanta.  
6 Didn't they do a --  
7 MR. FENTON ROOD: And we'll be -- later on  
8 the Agenda, we'll be talking in more detail about those  
9 concepts.  
10 CHAIRMAN JEFFREY SHEPHERD: Okay. Good.  
11 Does anybody else have any further questions for --  
12 VICE CHAIRMAN BRENDA MERCHANT: I just -- I  
13 know the answer to this, but I just wanted to ask the  
14 question just to get it out there, because I've had  
15 people call me asking the question. I know you have,  
16 Fenton.  
17 And that is, landfills are taking it right now until  
18 the rule goes into effect. They're like, "We've got  
19 dumpsters at some of these facilities. Can we take their  
20 regular waste, the normal waste that we're taking right  
21 now, and assume that there's not a lot of stuff in there  
22 that shouldn't be in there, according to the law? And  
23 what is the liability for them picking that up in their  
24 garage truck and taking it to their landfill and there be  
25 what shouldn't be in there?"

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| <p style="text-align: right;">Page 34</p> <p>1 MR. FENTON ROOD: Well, first of all,<br/>2 remember that the law does not go into effect until<br/>3 November 1st, so right now there are no requirements.<br/>4 Now, from an environmental point of view, if the<br/>5 material is managed, it coexists and is managed with<br/>6 garbage, we don't see any environmental issues. The --<br/>7 the fundamental concern is primarily diversion of any<br/>8 material that still has THC.<br/>9 CHAIRMAN JEFFREY SHEPHERD: Anybody else?<br/>10 (No response.)<br/>11 MR. FENTON ROOD: Thank you very much.<br/>12 CHAIRMAN JEFFREY SHEPHERD: Thanks, Fenton.<br/>13 All right. Item number six, Discussion of Disposal<br/>14 of Coal Combustion Residuals from Electric Utilities.<br/>15 The Department will provide, for discussion purposes<br/>16 only, an update regarding the status of anticipated<br/>17 federal action relating to Oklahoma's Coal Combustion<br/>18 Residuals permit program.<br/>19 Patrick.<br/>20 MR. PATRICK RILEY: Well, this certainly<br/>21 sounds less exciting, doesn't it, following Fenton's<br/>22 discussion?<br/>23 (Laughter.)<br/>24 MR. PATRICK RILEY: But as you recall CCR<br/>25 has been a standing agenda item on our -- at our council</p>                                                                                                                                                                                                                          | <p style="text-align: right;">Page 36</p> <p>1 and see how they'll -- how they compare with the Oklahoma<br/>2 rules. And if we need to change ours to be as<br/>3 protective, we'll work towards that.<br/>4 Something else that you'll -- you may be interested<br/>5 in, is that EPA is being sued over Oklahoma's approval by<br/>6 Waterkeeper's Alliance and others. They are claiming<br/>7 that EPA failed to require adequate public participation<br/>8 in the rule and that EPA's Oklahoma approval is illegal<br/>9 because there was no public participation. And they<br/>10 object to Oklahoma -- what they claim is Oklahoma's lack<br/>11 of ability to require permit modifications once a permit<br/>12 is issued for life.<br/>13 So the -- we disagree with those contentions and<br/>14 we've been working with the AG's Office. Karen has been<br/>15 writing our case. We're an intervenor with the EPA in<br/>16 response to this lawsuit, so -- and we hope that and<br/>17 anticipate that we'll be successful, or that EPA will be<br/>18 successful in defending its approval. So all that to say<br/>19 that business -- we're conducting business as usual with<br/>20 the CCR program.<br/>21 We just most recently issued a new CCR permit to a<br/>22 facility that was formerly permitted under the Department<br/>23 of Mines. It's in northern Oklahoma, the Big Fork Ranch,<br/>24 so that's -- that happened just recently.<br/>25 So 517 staying in effect. No changes at this time,</p> |
| <p style="text-align: right;">Page 35</p> <p>1 meetings for several years now, so a few things to talk<br/>2 about today.<br/>3 First, I want to say that there aren't any changes<br/>4 proposed to Chapter 517 at this time, and I don't<br/>5 anticipate any changes for a while.<br/>6 But I do want to make you aware that there are some<br/>7 things happening at the federal level that may cause us<br/>8 to change our rules down the road. Couple things that<br/>9 you'll see -- that you may see in the news, and that's<br/>10 that EPA is drafting rules that are anticipated this<br/>11 summer. They are in the process of creating a federal<br/>12 permitting program, which they've committed to doing all<br/>13 along. For those state that don't want to develop their<br/>14 own program, there will be a federal permitting program<br/>15 established. And once those rules come out, that may<br/>16 give us some ideas of how we could make our rules better.<br/>17 We also have to maintain consistency with the federal<br/>18 rule as far as being equally protective.<br/>19 Also, the EPA is going to come out with rules that<br/>20 rewrite sections of the -- of the federal rule that were<br/>21 vacated by a court decision last August, mostly relating<br/>22 to impoundments, unlined impoundments and legacy<br/>23 impoundments. So we'll see that come out. We anticipate<br/>24 that this summer or fall.<br/>25 So when -- when those come out, we'll take a look</p> | <p style="text-align: right;">Page 37</p> <p>1 but we're watching what happens on the federal level.<br/>2 MR. BILL TORNETEN: Patrick, any of this<br/>3 isn't cause for delaying processing of permit<br/>4 applications or --<br/>5 MR. PATRICK RILEY: No, not at all. Our<br/>6 program -- our program is approved right now. Our rules<br/>7 are in effect and we're following them as -- as written.<br/>8 MR. BILL TORNETEN: Kind of a general<br/>9 question. As far as the timelines, the review timelines<br/>10 that are published, uniform permitting rules, are those<br/>11 kind of self-enforced by DEQ or --<br/>12 MR. PATRICK RILEY: Yeah.<br/>13 (Laughter.)<br/>14 MR. PATRICK RILEY: Yeah. I don't know any<br/>15 third-party that's going to enforce those rules.<br/>16 MR. BILL TORNETEN: Okay. If a permit is<br/>17 issued and the rules change, are we going to have to,<br/>18 then, deal with maybe retroactive changes in the permit<br/>19 or --<br/>20 MR. PATRICK RILEY: Yeah, that's a good<br/>21 question. Just like any other solid waste permit, you<br/>22 know, we -- solid waste permits are issued for the life<br/>23 of the facility, but that doesn't mean that they don't<br/>24 require modification when the rules change. And<br/>25 typically when you'll see a new rule come out, there will</p>                                                                                                                                                                              |

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1 also be a timeline that -- in the applicability section  
2 of the rule that talks about within, say, 180 days of the  
3 effective date of this rule, facilities must upgrade  
4 their permits to meet the new requirements.  
5 So the concept that once a permit is issued, it  
6 never changes, or that they don't have to comply with new  
7 rules is false.  
8 MR. BILL TORNETEN: All right. Yeah, I --  
9 I can envision some of these changes affecting whether or  
10 not a facility would even be eligible for a permit. In  
11 which case, they might be granted a permit, but a change  
12 comes along that maybe does away with a waiver or a  
13 variance that was previously allowed. This could be a  
14 long process.  
15 (Multiple speakers.)  
16 MR. BILL TORNETEN: How many -- do you have  
17 very many applications committed?  
18 MR. PATRICK RILEY: We only have about five  
19 facilities in Oklahoma that dispose of coal ash.  
20 MR. BILL TORNETEN: And how many have been  
21 approved?  
22 MR. PATRICK RILEY: They've been -- they  
23 have permits that have been in place for a long time,  
24 solid waste permits.  
25 MR. BILL TORNETEN: Oh, okay.

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1 MR. PATRICK RILEY: They've been -- they  
2 were previously regulated under the solid waste rules.  
3 MR. BILL TORNETEN: Right.  
4 MR. PATRICK RILEY: So this -- so there  
5 weren't -- they did not have to go through an entirely  
6 new permitting process.  
7 MR. BILL TORNETEN: Oh.  
8 MR. PATRICK RILEY: Although those with  
9 impoundments had to -- had to comply with the regulations  
10 because CCR impoundments are now under our -- under the  
11 517 rules, whereas previously they were permitted by  
12 Water Quality.  
13 MR. BILL TORNETEN: Right.  
14 MR. PATRICK RILEY: So there were some  
15 changes there.  
16 MR. BILL TORNETEN: Right. Just from my  
17 experience, some of the solid waste rules that apply to  
18 impoundments don't really fit very well. But I don't  
19 know where that's going to all lead, but...  
20 MR. PATRICK RILEY: Yeah. The 517s include  
21 a lot of rules for impoundments, specific to  
22 impoundments.  
23 MR. BILL TORNETEN: Right.  
24 MR. PATRICK RILEY: So --  
25 MR. BILL TORNETEN: Rules that make sense

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1 for -- for landfills but not necessarily for liquid  
2 impoundments. And, you know, I -- I guess that's just a  
3 process that's going to take some time maybe to work all  
4 that out. But like you said, there's a lot of changes on  
5 the horizon on the federal level anyway, so it probably  
6 makes sense to just kind of see what comes down the road  
7 from all that.  
8 MR. PATRICK RILEY: We'll keep -- yeah,  
9 we'll keep an eye on it, keep you guys updated.  
10 CHAIRMAN JEFFREY SHEPHERD: Anything else?  
11 (No response.)  
12 CHAIRMAN JEFFREY SHEPHERD: All right.  
13 Thanks, Patrick.  
14 Item number seven, Discussion of the Results from  
15 the Sharps and Pharmaceuticals Dialogue. The Department  
16 is presenting, for discussion purposes only, results from  
17 the Sharps and Pharmaceuticals Dialogue held with  
18 industry.  
19 Amber.  
20 MS. AMBER EDWARDS: So I'm sure you're all  
21 aware that there's public health and environmental issues  
22 related to unwanted pharmaceutical and sharps. So DEQ  
23 wanted to work with Product Stewardship Institute to  
24 facilitate a stakeholder meeting to discuss safe and  
25 effective disposal options for those two items.

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1 And we met and we had a lot of participation from a  
2 variety of stakeholders including the Health Department,  
3 Tribal representatives, Oklahoma Bureau of Narcotics,  
4 municipalities, and people from the waste management  
5 recycling industry and healthcare industry.  
6 We wanted to talk about what the existing  
7 infrastructure is. There's been several pilot studies  
8 performed on drug take-backs because there's a lot of  
9 citizens who want to dispose of their drugs in different  
10 ways besides just flushing them down the toilet or  
11 putting them in their trash.  
12 So there's some pharmacies who have done pilots to  
13 figure out if it's cost-effective for them to actually  
14 accept those drugs back and send them for disposal in,  
15 like, an incinerator.  
16 And there has been collections at law enforcement  
17 offices established to do that. There -- have kiosks,  
18 and they have partnerships with Covanta where they can  
19 take it there and it can be incinerated.  
20 Because if you put them in a landfill or just flush  
21 them down the toilet or something, there could be  
22 contamination to water. And if you just have them siting  
23 around at your house, then somebody can get them and  
24 there could be an accidental poisoning or overdoses. So  
25 we wanted to figure out a more effective solution besides

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| <p style="text-align: right;">Page 42</p> <p>1 doing that.</p> <p>2 And for sharps, there's, like, horror stories about</p> <p>3 needle sticks from people at landfills or recycling</p> <p>4 facilities, and so we're trying to figure out what we can</p> <p>5 do besides just having them go to those places and have</p> <p>6 those kind of accidents.</p> <p>7 And we've also heard stories about water treatment</p> <p>8 facilities having problems with sharps clogging up their</p> <p>9 equipment and not good stuff like that.</p> <p>10 So we also know that there are two cities that have</p> <p>11 collections for sharps right now. And basically they</p> <p>12 have a fee on their sanitation services so that they can</p> <p>13 cover those costs. But they do actually accept sharps</p> <p>14 from their residence.</p> <p>15 So those are things that we wanted to look at,</p> <p>16 figuring out how we can expand those types of things for</p> <p>17 both pharmaceuticals and sharps.</p> <p>18 And right now, we -- we were talking about what the</p> <p>19 current practices are and what we think the best</p> <p>20 practices are. And right now, you can just put your</p> <p>21 pharmaceuticals and your sharps in the trash, but we</p> <p>22 don't think that's the best practice. We think we need</p> <p>23 to have other options besides that.</p> <p>24 So the actual rule in the 515s for sharps, I'm just</p> <p>25 going to read it to you because it says: They can be</p>                                                                                                                        | <p style="text-align: right;">Page 44</p> <p>1 that to see if that is an effective solution.</p> <p>2 And one of the things, also, is there is -- we were</p> <p>3 talking about urban versus rural, if we need more</p> <p>4 take-back programs for sharps and pharmaceuticals in</p> <p>5 rural areas, because then people would be more likely to</p> <p>6 use them instead of having to drive further away to do</p> <p>7 it.</p> <p>8 And one of the problems is there's not, right now,</p> <p>9 any sustainable funding for these programs. People</p> <p>10 usually use grants and do pilots. And some pilots have</p> <p>11 actually continued, and they have had their own money to</p> <p>12 be able to do it. But some might not because they're</p> <p>13 like, "Okay, this grant is over. We don't -- we cant</p> <p>14 cover this anymore."</p> <p>15 So we talked about like possible consumer fees, kind</p> <p>16 of like the waste tire fee. These are just things we</p> <p>17 were throwing out during this meeting. The taxpayer</p> <p>18 fees, like the cities that do it through their</p> <p>19 sanitation, and standard producer responsible rules where</p> <p>20 the producer would be responsible for the ultimate waste</p> <p>21 disposal.</p> <p>22 So that's basically what we talked about during that</p> <p>23 meeting.</p> <p>24 And Jim was there, so if he has anything to add.</p> <p>25 MR. JIM LINN: So in the City of Oklahoma</p>                                              |
| <p style="text-align: right;">Page 43</p> <p>1 disposed in municipal solid waste landfills if they're</p> <p>2 treated in a way to minimize potential for puncture wound</p> <p>3 such as placement in a specifically-designed sharps</p> <p>4 containers of rigid plastic or a rigid puncture-resistant</p> <p>5 container and filled with a solidifying material, or such</p> <p>6 methods that will seal the sharps and minimize the risk</p> <p>7 of puncture wounds.</p> <p>8 So we think even if you just put it in a container,</p> <p>9 whenever you get it to a facility and it gets ran over,</p> <p>10 then that's going to be able to expose people. So we'd</p> <p>11 rather have it sent somewhere for treatment instead of</p> <p>12 just going straight to the landfill.</p> <p>13 But we would like to try to propose some changes to</p> <p>14 that rule some time, but we don't want to just change it</p> <p>15 without having an actual solution to the problem and just</p> <p>16 say, "You can't put them in your trash, but we don't know</p> <p>17 what you can do with them."</p> <p>18 So as a result of the meeting, we talked about those</p> <p>19 pilots and stuff and we decided we would like to have</p> <p>20 more pilots for both pharmaceuticals and sharps because</p> <p>21 we -- there have been pilots and there are actual</p> <p>22 pharmacies who do take back pharmaceuticals right now,</p> <p>23 but we don't really know of any that are -- anybody who</p> <p>24 takes back sharps for residences right now. So we would</p> <p>25 like to figure out ways to get some pilots started on</p> | <p style="text-align: right;">Page 45</p> <p>1 City, untreated biomedical waste is noncollectable in the</p> <p>2 curbside program, so -- and for all the reasons you would</p> <p>3 expect, primarily related to health of the collections</p> <p>4 personnel and landfill personnel that are managing waste</p> <p>5 stream there.</p> <p>6 Yet, in the City of Oklahoma, we say we don't take</p> <p>7 it, but I've got a feeling we're taking it.</p> <p>8 VICE CHAIRMAN BRENDA MERCHANT: You are.</p> <p>9 MR. JIM LINN: Yeah. So the benefit for us</p> <p>10 is, is that it's untreated biomedical waste, and we all</p> <p>11 know the hazards that exist and -- which were discussed</p> <p>12 during the stakeholder meeting. And so for the City of</p> <p>13 Oklahoma City, our job is to manage the waste stream the</p> <p>14 best way we know how.</p> <p>15 At present, Mr. Chairman, we don't have a</p> <p>16 recommendation, other than those that exist nationally,</p> <p>17 for what to do with this material. We never tell them to</p> <p>18 place it in a hard plastic container and stick it in the</p> <p>19 can. Never. That's not something we want to do.</p> <p>20 So I can speak on behalf of myself that the -- our</p> <p>21 goal would be to encourage producer responsibility in</p> <p>22 this regard and to encourage take-back programs where</p> <p>23 possible.</p> <p>24 Pharmaceuticals are currently done by --</p> <p>25 What did OBND guy say? About 10 or 11 agencies in</p> |

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1 the State --

2 MS. AMBER EDWARDS: Something like that.

3 MR. JIM LINN: -- I think currently take

4 pharmaceuticals back. And so I had two colleagues from

5 the wastewater treatment system for the City of Oklahoma

6 City with me, and the last thing we would want anyone to

7 do is flush anything down the toilet.

8 And so they do treat for some things in the

9 wastewater treatment stream, as you know. But not

10 many -- not every drug residue, that enters that waste

11 stream, is managed. So the benefit for us is we've got

12 to figure out a better way for disposal of this material.

13 CHAIRMAN JEFFREY SHEPHERD: I mean, at --

14 at some point, I think it -- the responsibility has to be

15 to the person that's the patient or whoever is taking

16 care of the patient at home. You know, maybe there's a

17 process where you give them the plastic jug and you give

18 them the stuff that turns it into a solid block of -- and

19 you say, "Look, when this is full, break this bag open,

20 pour it in, pour some water in there, then you can throw

21 it away." Something like that seems to be reasonable.

22 I mean, I -- I don't know. Are we -- what are we

23 talking about as far as a volume of this type of sharps

24 and needles and --

25 VICE CHAIRMAN BRENDA MERCHANT: It just

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1 takes one.

2 CHAIRMAN JEFFREY SHEPHERD: I -- I

3 understand that. Believe me, I understand that. And for

4 somebody who's worked at landfills for a long time, it's

5 something that you think about all the time.

6 But there's -- I don't know. We have to push some

7 of the responsibility to the people that are being taken

8 care of or whoever is taking care of that person at home.

9 Because we require the hospitals to take care of

10 their stuff. Isn't that correct?

11 VICE CHAIRMAN BRENDA MERCHANT: I kind of

12 like what Midwest City is doing, and I know -- you know,

13 I mean, it costs money for them to do that, and they do

14 their own collection. And I would not -- I hope I don't

15 upset a whole bunch of waste haulers here, because we are

16 one.

17 But I would not be opposed to that being part of the

18 bid specification process that the waste hauler include,

19 in their packet, a fee for a mail-back program or

20 something like that. Not that we would have to actually

21 distribute. It would just be in our interest to -- to

22 not have injured workers and injured employees.

23 But provide possibly a mechanism, like the City of

24 Midwest City uses, where a certain fee is baked into

25 their bill or baked into the -- to whatever your bid

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1 price is that says, "We're going to provide -- the City

2 is going to provide rigid containers."

3 In the mail-back program there are -- I mean,

4 it's -- it's a safe way of doing it.

5 CHAIRMAN JEFFREY SHEPHERD: Uh-huh.

6 VICE CHAIRMAN BRENDA MERCHANT: And, you

7 know, they have that for three, six months, depending on

8 what their usage is. And they sign up for those and

9 they're -- somebody at City Hall, or their public works

10 folks, you know, has a route that they go pick it up.

11 Even a large city -- I mean, you see

12 Midwest City, they have 225 customers that actually are a

13 part of that program.

14 But yeah, having those discussions, even with the

15 waste haulers that, you know, "You're going to provide

16 polycarts, you're going to provide recycling services.

17 We'd also like you to provide funds to take care of this,

18 as well."

19 We've got to -- the residents have to have an easy

20 way of doing this or they won't do it. They just won't

21 do it. If you don't provide it and make it easy for them

22 to do, it's going to wind up in their polycart.

23 MR. BILL TORNETEN: Have any cost studies

24 been done on what it would cost the drug retailers to put

25 the kiosks in their stores, people that go buy drugs,

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1 take in their old ones, and drop the ones that, you know,

2 aren't any good in the kiosk and -- kind of how like

3 E-Waste is managed at a lot of the hardware stores and --

4 I don't know what the cost would be, but it wouldn't seem

5 to be prohibitive.

6 It might take legislation to mandate them to do it.

7 I don't know. But, I mean, there are some that are doing

8 it voluntarily. I think there's a -- a drug store in

9 Moore that just was in the paper the other day that

10 they're going to put kiosks and drug take-backs. I think

11 it's more of a public relations thing to bring people in,

12 but that seems to make the most sense to me.

13 CHAIRMAN JEFFREY SHEPHERD: I mean, we did

14 push all the E-Waste responsibility to the manufacturers.

15 MR. BILL TORNETEN: Right.

16 MS. TRACI PHILLIPS: That's not working.

17 MR. BILL TORNETEN: It's not working?

18 MS. TRACI PHILLIPS: Just --

19 MS. TRACI PHILLIPS: Huh-uh.

20 CHAIRMAN JEFFREY SHEPHERD: We don't want

21 to hear that.

22 (Laughter.)

23 MR. BILL TORNETEN: You're just saying

24 people won't do it?

25 MS. TRACI PHILLIPS: I'm just saying don't

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1 look to E-Waste as that model --

2 MR. BILL TORNETEN: Oh.

3 MS. TRACI PHILLIPS: -- because that's

4 broken and not working.

5 VICE CHAIRMAN BRENDA MERCHANT: If a

6 resident has to load it in their vehicle and take it

7 somewhere between the hours of 8:00 and 12:00 on a

8 Saturday --

9 MS. TRACI PHILLIPS: Right.

10 VICE CHAIRMAN BRENDA MERCHANT: -- I can

11 promise you they're going to put it in their dumpster --

12 MS. TRACI PHILLIPS: Yeah.

13 VICE CHAIRMAN BRENDA MERCHANT: -- before

14 they're going to drive up there and drop that off so that

15 they're doing the right thing.

16 MR. BILL TORNETEN: Yeah, it needs to be

17 really convenient.

18 VICE CHAIRMAN BRENDA MERCHANT: Got to make

19 it convenient.

20 MR. BILL TORNETEN: I mean, a kiosk in a

21 drug store. People go to drug stores regularly. They're

22 open a lot.

23 VICE CHAIRMAN BRENDA MERCHANT: Got to make

24 it convenient.

25 MR. BILL TORNETEN: Yeah.

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1 MS. TRACI PHILLIPS: So what did the

2 healthcare professionals -- I mean, so I'm assuming the

3 health systems were there. Because that's the first half

4 of that equation, right? Because they're the ones

5 dispensing it. And so --

6 And I'm just going to share this very quickly. I

7 had a family member in a hospital in May and the nurse

8 said, "When you're done with the drugs, just flush them

9 down the toilet."

10 CHAIRMAN JEFFREY SHEPHERD: Yeah.

11 MS. TRACI PHILLIPS: That was the advice.

12 So that's a big problem, in my mind, is that that first

13 level of education is not happening. We don't have a

14 good solution. But we have to engage that community to

15 get their buy-in as to, you know, how -- how they're

16 going to distribute that information or packets, or

17 whatever it is that, you know, we come up with, but -- so

18 I was just curious if -- what they had to say.

19 MS. AMBER EDWARDS: That is one thing that

20 did get brought up. There was a pharmacist and he

21 talked about how drugs are overprescribed and they don't

22 give education about what to do with them --

23 MS. TRACI PHILLIPS: Right.

24 MS. AMBER EDWARDS: -- when they're done if

25 they don't need them anymore.

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1 MS. TRACI PHILLIPS: Then you have the

2 whole people are buying it over the internet, you know,

3 buying drugs or syringes or, you know, different things,

4 diabetes. You know, diabetics are buying different

5 things --

6 MS. AMBER EDWARDS: Right.

7 MS. TRACI PHILLIPS: -- and so that's

8 shipped to homes. So it's not -- this isn't a straight

9 path of, "This is always what happens," right? There's a

10 variety of ways that, you know, people obtain various

11 things that they need.

12 MS. AMBER EDWARDS: Yeah. Education is

13 definitely a part of it that needs to be done because a

14 lot of people don't know there's any other options.

15 VICE CHAIRMAN BRENDA MERCHANT: Yeah.

16 MR. BILL TORNETEN: I think Norman does a

17 quarterly or semi-annual collection event. But like I

18 said, it's not terribly convenient. You have to know

19 when it is and have to carve out time on your Saturday to

20 go do it and -- I mean, it's well-attended. I've been by

21 there and cars are lined up.

22 CHAIRMAN JEFFREY SHEPHERD: Do they take it

23 at the hazardous waste -- household hazardous waste

24 disposal facility there in Oklahoma City?

25 MR. JIM LINN: No.

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1 CHAIRMAN JEFFREY SHEPHERD: They don't take

2 any drugs or sharps or anything like that?

3 MR. JIM LINN: No, sir.

4 MS. TRACI PHILLIPS: It's a security issue.

5 CHAIRMAN JEFFREY SHEPHERD: Okay. Any

6 other questions or comments for Amber?

7 VICE CHAIRMAN BRENDA MERCHANT: When are

8 you-all meeting again?

9 MS. AMBER EDWARDS: Is this on? I don't

10 know if this is on.

11 I don't know when our next meeting would be. But we

12 do have monthly meetings that are facilitated by

13 Product Stewardship Institute that are going to be

14 starting up. We have to wait for our contract to get

15 renewed. We actually have contracts with them for that.

16 So most of the people, who are the stakeholders at

17 that meeting, are on our monthly call. So we'll be

18 communicating a lot and probably set up some more

19 meetings in the future.

20 VICE CHAIRMAN BRENDA MERCHANT: So the --

21 just one more thing. I'm sorry. Because this really is

22 important to me. I mean, we've had a lot of injured

23 workers, and I've watched what they go through for years.

24 It's not just going to the doctor, it's -- it's like

25 life-long, you know, "Am I going to get sick?"



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| <p style="text-align: right;">Page 54</p> <p>1 But after this meeting, I mean, the conclusion is:</p> <p>2 Are these folks all going to get back together and</p> <p>3 continue coming up with a solution?</p> <p>4 MS. AMBER EDWARDS: That's the plan.</p> <p>5 VICE CHAIRMAN BRENDA MERCHANT: Okay.</p> <p>6 MS. TRACI PHILLIPS: I'm just going to</p> <p>7 raise this question. Is the -- I'm not against the</p> <p>8 Product Stewardship Institute, so let me just say that</p> <p>9 right out front. But I question whether that's the best</p> <p>10 format to solve -- to actually solve the problem in the</p> <p>11 state. So by just having the meetings with the</p> <p>12 Product Stewardship, are you maybe leaving out some</p> <p>13 possibilities or some stakeholders that really should be</p> <p>14 brought to the table to really explore a variety of -- of</p> <p>15 possible solutions that are outside of just the</p> <p>16 Product Stewardship?</p> <p>17 MS. AMBER EDWARDS: It's not just</p> <p>18 Product Stewardship Institute. They actually facilitate</p> <p>19 the meeting, but there was a lot of variety of</p> <p>20 stakeholders. We do want to have more people from the</p> <p>21 healthcare industry because we didn't have that many at</p> <p>22 the last one. But there are different entities besides</p> <p>23 the Product Stewardship at the meeting.</p> <p>24 VICE CHAIRMAN BRENDA MERCHANT: And they're</p> <p>25 willing to entertain or -- you know, there's</p> | <p style="text-align: right;">Page 56</p> <p>1 July 1st of this year. And you do have a handout in your</p> <p>2 packet, and so I'm just going to briefly go over the</p> <p>3 highlights and then you-all can ask questions.</p> <p>4 So we did have some definitional changes. One thing</p> <p>5 that we added was we defined "automobile" of being a</p> <p>6 vehicle that was a passenger vehicle less than 16,000</p> <p>7 pounds. And we did this to really give tire dealers a</p> <p>8 break on some of their oversized tires, and I'll explain</p> <p>9 that in just a moment.</p> <p>10 We also changed the definition -- or we have a -- we</p> <p>11 better defined products that our processors currently are</p> <p>12 claiming as an end use. So basically what we did is we</p> <p>13 called it tire-derived product. We're -- we're asking</p> <p>14 the processors to call it what it is, bottom line. So</p> <p>15 instead of it being crumb rubber, then there are some</p> <p>16 specific categories that they can call it. So it's</p> <p>17 tire-derived product instead of just lumped under, you</p> <p>18 know, crumb rubber or TDF. And so we hope that that will</p> <p>19 provide some clarification as to what the end use</p> <p>20 actually is.</p> <p>21 The fee categories were probably some of the bigger</p> <p>22 changes, and I -- let me back up for just a minute. The</p> <p>23 whole reason that we had the statute changes, this was --</p> <p>24 this was driven by some of the processors and they felt</p> <p>25 like they weren't getting compensated. We were</p>                    |
| <p style="text-align: right;">Page 55</p> <p>1 discussions -- possible discussions of -- you know,</p> <p>2 alternative solutions rather than just going back to --</p> <p>3 MR. PATRICK RILEY: Yes.</p> <p>4 MS. TRACI PHILLIPS: Okay.</p> <p>5 MS. AMBER EDWARDS: Yes.</p> <p>6 MR. BILL TORNETEN: Drug manufacturers</p> <p>7 could use some good PR about now.</p> <p>8 (Laughter.)</p> <p>9 MR. BILL TORNETEN: Maybe some of the</p> <p>10 settlement money could be earmarked for these kinds of</p> <p>11 programs.</p> <p>12 CHAIRMAN JEFFREY SHEPHERD: That makes</p> <p>13 sense.</p> <p>14 Okay. Anything else?</p> <p>15 (No response.)</p> <p>16 CHAIRMAN JEFFREY SHEPHERD: All right. We</p> <p>17 will move on.</p> <p>18 Item number eight, Discussion of Senate Bill 878,</p> <p>19 the Tire Program. The Department is presenting, for</p> <p>20 discussion purposes only, impact of Senate Bill 878 and</p> <p>21 the changes to the Used Tire Recycling Program.</p> <p>22 Ferrella.</p> <p>23 MS. FERRELLA MARCH: Yes. Hello again.</p> <p>24 So as you-all know, we did have some statutory</p> <p>25 changes that have become -- or that were effective</p>                                                                                                                                                                                                                                                                                                                                    | <p style="text-align: right;">Page 57</p> <p>1 constantly short in the fund. We were unable to pay them</p> <p>2 or reimburse them for their efforts. So these statutory</p> <p>3 changes allow for an increase in the funds so that we can</p> <p>4 pay out everything that they're requesting.</p> <p>5 In addition, we hope to have a little bit left over</p> <p>6 so that we can do some market development so that we can</p> <p>7 pay for tire dump clean-ups. As you know, the last</p> <p>8 statutory changes, that were effective a couple years</p> <p>9 ago, we did have some money left in the fund where we</p> <p>10 could clean up some tire dumps, where we had some money</p> <p>11 where we could do some market development. We had a</p> <p>12 pretty good pot of money for a while, and then the</p> <p>13 legislature took some of that money as a result of the</p> <p>14 budget deficit. So we had nothing left in there and we</p> <p>15 were unable to accrue that after that.</p> <p>16 So we -- we were unable to clean up a lot of these</p> <p>17 tire dumps, and so that has not happened in probably the</p> <p>18 last year and a half. So hopefully we can get back to</p> <p>19 trying to get rid of some of these legacy dumps across</p> <p>20 the state.</p> <p>21 Okay. So the fee categories, probably the biggest</p> <p>22 one is we changed the passenger tire fee category from</p> <p>23 250 to 290 and that now includes automobile tires or</p> <p>24 tires that are less than or equal to 19 and a half inches</p> <p>25 in rim diameter. So what that means is tire dealers only</p> |

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1 have to charge \$2.90 for an oversized SUV tire, or a  
2 Hummer tire, or whatever it is. They're not having to  
3 change the 3.50. So the tire dealers are liking that a  
4 lot.

5 The next thing that we did is we tried to create a  
6 category for semi tires. And so now that's 5.50 instead  
7 of 3.50. If a vehicle is not a passenger vehicle and if  
8 it exceeds the weight of 16,000 pounds, then those  
9 vehicle -- or then those tires would be \$5.50. And then  
10 we also have a category for the super singles, which  
11 would be \$10. And that would be for your doublewide semi  
12 tires basically. So we tried to simplify this as much as  
13 possible and hopefully that will help out.

14 We also had some AG tire changes just as a result of  
15 the fees that we changed in the different size  
16 categories. And when I mean small AG tires, I -- what I  
17 mean, it's not the -- not the tires where we're charging  
18 eight and \$16. So those are really considered the extra  
19 large tires. So these would be your regular agricultural  
20 tires.

21 And so any tire -- any agricultural tire, smaller  
22 agricultural tire that is -- has a rim diameter of less  
23 than or equal to 19 and a half inches and up to 30 inches  
24 in total diameter is increased to \$2.90. And then those  
25 agricultural tires, that exceed that 19 and a half

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1 inches, but still are within that total rim -- or total  
2 diameter of 30 inches goes up to \$5.50.

3 So the Air Quality percent was reduced to 24.1  
4 percent, but that really doesn't change anything. Just  
5 kind of the way that works out. We wanted to -- we  
6 wanted to -- we didn't -- so nobody is getting more  
7 money, the bottom line is. We're not getting any more  
8 money, Tax Commission is not getting any more money,  
9 Air Quality is not getting anything more as a result of  
10 this increase.

11 So what that means, also, is that -- so as you know,  
12 the Oklahoma Tax Commission received 2.25 percent, and  
13 that's still -- it's still at 2.25 percent and they're  
14 capped at \$20,000 per month. Same thing for us, we're  
15 still at 5.75 percent and we're capped at \$50,000 per  
16 month.

17 The other thing is, as you-all know, we're also  
18 capped at \$500,000 for anything that is left over in the  
19 fund, and that's an accrued amount. So once we reach  
20 that \$500,000, anything above that, then it's  
21 redistributed to the processors.

22 Okay. And let me back up one more time and let me  
23 clarify something. When I was talking about our  
24 percentage, if we exceed -- if we exceed the 20,000 or  
25 the \$50,000 per month, that goes back into the Used Tire

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1 Recycling Fund. And that would be based on a three-year  
2 average for 2015, 2016, and 2017.

3 Okay. And then the last major change we made was  
4 under unlawful acts. And now tire dealers have to be in  
5 compliance with the Oklahoma Tax Commission in order to  
6 store their 2,500 tires. It's also unlawful to transport  
7 used or reusable tires in a manner that violates the  
8 rules of the DEQ.

9 So what that means is that if somebody is  
10 transporting used tires without a manifest, they can't do  
11 that. Before we were just looking at reusable tires, so  
12 just the waste tires. But we needed to get a better  
13 handle on the guys that go to the different tires shops.  
14 They pick up their tires and then they're going to resell  
15 those two doors down. And then at the end of the day,  
16 they just dump the tires. And I -- I think probably we  
17 see a lot of that in the larger metropolitan areas like  
18 Oklahoma City and Tulsa.

19 And then the last thing is that DEQ can clean up  
20 illegal dumps if there is some kind of criminal action  
21 involved, so we can just go onto the property and clean  
22 up the tires.

23 So that -- that is a very quick, and then that's  
24 kind of a snapshot of the statutory changes. We don't  
25 expect there to be a lot of rule changes as a result of

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1 these statutory changes. There will be some and we'll  
2 also take that opportunity to clean up the rules a little  
3 bit to, you know, get rid of things that don't make  
4 sense, to make sure that we are meeting all of the  
5 requirements as a result of the statutes.

6 We should have a draft to you by the next council  
7 meeting and then we'll just move forward from there.

8 Do you-all have any questions?

9 CHAIRMAN JEFFREY SHEPHERD: How many tire  
10 dumps do we -- illegal tire dumps do we have now?

11 MS. FERRELLA MARCH: I don't know the  
12 latest number. We're still well below -- we're still  
13 well below the 250 tire dumps that we had when I first  
14 started. You know, so we're probably hovering still  
15 around, you know, 50 tire dumps, I would say. A lot of  
16 them are much smaller than they used to be.

17 You know, we're still dealing with some of the  
18 legacy dumps that have been around forever where, you  
19 know, trees are growing through the tires. And those are  
20 problematic, especially for our processors.

21 CHAIRMAN JEFFREY SHEPHERD: Do we see  
22 continual -- you know, the old tire dumps continue to be  
23 tire dumps, like in the counties and places like that  
24 where people have been dumping them forever? Do we see  
25 these continuing or --

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| <p style="text-align: right;">Page 62</p> <p>1 MS. FERRELLA MARCH: Not as much. I think<br/>2 what we see are a lot of micro dumps especially around<br/>3 the larger pop -- the more heavily-populated areas.<br/>4 CHAIRMAN JEFFREY SHEPHERD: Uh-huh.<br/>5 MS. FERRELLA MARCH: And a lot of these<br/>6 have markings on the tires so we know they're coming from<br/>7 some of the tire dealers in the area. We just are having<br/>8 a hard time figuring out how to catch those people.<br/>9 CHAIRMAN JEFFREY SHEPHERD: Yeah. I was<br/>10 going to ask: How are you going to enforce that<br/>11 transport use or reusable tires? Who's going to enforce<br/>12 that rule?<br/>13 MS. FERRELLA MARCH: Well, fortunately --<br/>14 well, you know, we have our criminal investigation unit.<br/>15 They can -- they can write tickets. We have that<br/>16 ticket-writing ability. We also have environmental<br/>17 officers scattered throughout the state. And they've<br/>18 been very helpful, especially the Oklahoma -- the<br/>19 Oklahoma County Sheriff's Department has been very<br/>20 instrumental in getting a lot of the micro dumps cleaned<br/>21 up, so that's working really well.<br/>22 They can also, you know, write tickets or -- in<br/>23 fact, we -- we've done that here recently where somebody<br/>24 was transporting more than ten tires. They were able to<br/>25 pull them over and write a ticket because they threw a</p> | <p style="text-align: right;">Page 64</p> <p>1 a collector's standpoint. But it must be done for --<br/>2 because it's a public health issue.<br/>3 CHAIRMAN JEFFREY SHEPHERD: Uh-huh.<br/>4 MR. JIM LINN: Primary concern, of course,<br/>5 is mosquitos and the things they carry.<br/>6 CHAIRMAN JEFFREY SHEPHERD: Uh-huh.<br/>7 MR. JIM LINN: So we'll continue to -- as<br/>8 long as we're directed and have the funding, we'll<br/>9 continue to work with them and continue to collect these<br/>10 tires. It -- it varies for us from 1,500 to \$5,000 a<br/>11 year. It's up and down.<br/>12 MS. FERRELLA MARCH: Uh-huh.<br/>13 MR. JIM LINN: But it continues.<br/>14 CHAIRMAN JEFFREY SHEPHERD: Uh-huh.<br/>15 MS. FERRELLA MARCH: We have provided<br/>16 outreach materials. We've provided postcards to the tire<br/>17 dealers regarding these changes, especially the fees, and<br/>18 also to the tag agents. And we've also provided another<br/>19 postcard that gives tips on preventing mosquitos and also<br/>20 tire fires or fire prevention.<br/>21 And the reason we wanted to include this is because<br/>22 we've had some -- some of the code enforcement officers<br/>23 from Tahlequah, and we've also heard from Midwest City,<br/>24 whose fire marshal is really doing a good job of trying<br/>25 to reach out to tire dealers, trying to educate them</p> |
| <p style="text-align: right;">Page 63</p> <p>1 cigarette out the window. So there -- we are working on<br/>2 enforcement the best way we can. With the help of the<br/>3 environmental officers, I think that will just -- I think<br/>4 that will increase.<br/>5 CHAIRMAN JEFFREY SHEPHERD: Okay. Good.<br/>6 MR. JIM LINN: Jeff, in our case, we -- the<br/>7 City of Oklahoma City won't prosecute unless the officer<br/>8 sees a crime being committed and can testify in that way.<br/>9 And so what Sergeant Pence, from OCSO, and<br/>10 Deputy Stagner have done for DEQ, through the grant, I<br/>11 believe from DEQ --<br/>12 MS. FERRELLA MARCH: Uh-huh.<br/>13 MR. JIM LINN: -- they don't have that<br/>14 restriction. So they are able to prosecute more --<br/>15 probably more effectively than we can internally with the<br/>16 City of Oklahoma City. So we're working with them and<br/>17 DEQ in this process, and we hope to see some -- some<br/>18 arrests splashed across the front page at some point, and<br/>19 hopefully will help deter illegal tire dumps.<br/>20 Micro dumps, as Ferella mentioned, are prevalent in<br/>21 the rural parts of our city and in parts of the urban,<br/>22 but not -- not so much in the urban; that we have<br/>23 designated routes to collect them. And our collection of<br/>24 those tires naturally begets more bad behavior.<br/>25 So it's a never-ended process, it seems to us, from</p> | <p style="text-align: right;">Page 65</p> <p>1 about how to prevent tire fires by the way they store the<br/>2 tires and just best management practices in general.<br/>3 CHAIRMAN JEFFREY SHEPHERD: Did this --<br/>4 this went into effect July 1st, right?<br/>5 MS. FERRELLA MARCH: Yes.<br/>6 CHAIRMAN JEFFREY SHEPHERD: Any other<br/>7 questions, comments?<br/>8 (No response.)<br/>9 CHAIRMAN JEFFREY SHEPHERD: Thank you,<br/>10 Ferrella.<br/>11 MS. FERRELLA MARCH: Okay. Thank you.<br/>12 CHAIRMAN JEFFREY SHEPHERD: Item nine,<br/>13 Discussion of Senate Bill 1027, Council Sunset. The<br/>14 Department is presenting, for discussion purposes only,<br/>15 impact of Senate Bill 1027 pertaining to Council sunset<br/>16 dates.<br/>17 Karen.<br/>18 MS. KAREN JAYNE: Good morning. I'm<br/>19 Karen Jayne. I'm the attorney for the Solid Waste<br/>20 Division. Well, actually the Land Protection Division.<br/>21 We wanted to bring your attention to a bill that was<br/>22 passed during the 2019 legislative session. SB 1027<br/>23 sunsets the Solid Waste Management Advisory Council on<br/>24 July 1, 2020. This is obviously not something the DEQ<br/>25 asked for and we are developing more information to</p>                                                                                                                                            |

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1 educate legislators about the value of our councils and  
2 about the transparency and expertise you bring to the  
3 rulemaking process. As that information gets developed,  
4 we will share it with you and ask that you help educate  
5 others. We are optimistic that this will be corrected  
6 and we will keep you informed.

7 CHAIRMAN JEFFREY SHEPHERD: Why did they  
8 think that we needed to be sunsetted?

9 MS. KAREN JAYNE: I've got Michelle here --

10 CHAIRMAN JEFFREY SHEPHERD: Bring the  
11 expert up here.

12 (Laughter.)

13 MS. KAREN JAYNE: -- since I wasn't at the  
14 legislature.

15 CHAIRMAN JEFFREY SHEPHERD: Because we -- I  
16 don't think we cost a lot of money, do we?

17 (Laughter.)

18 MS. MICHELLE WYNN: Michelle Wynn, DEQ  
19 legislative liaison.

20 In all of the legislators' infinite wisdom, they  
21 have decided it would be a good idea to put a sunset on  
22 everyone. Not everyone was passed this year. I would  
23 say probably about half the councils and commissions  
24 already have a sunset on them. We were kind of one of  
25 the ones that didn't. And their goal is to -- with the

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1 two current House and Senate chairmen, is to put a sunset  
2 on everyone.

3 Now, in the past, the sunsets have usually run  
4 between four and six years. So the one-year sunset is  
5 unique to legislation that was passed this year.

6 I have been told by staff that their goal is to,  
7 after the one-year of review, then the sunsets would  
8 revert back to a four- to six-year process.

9 How the sunset has worked in my past experience out  
10 at the capitol is there are -- it comes before a House  
11 committee. I've never seen them come before a Senate  
12 committee. That may change. But in the past, they've  
13 come before a House committee. You kind of do a little,  
14 "Here's what we do, here's why we do it, here's who does  
15 it," and then you go on down the road.

16 And they -- but what will happen now that is  
17 different is we will have to have legislation for these  
18 councils to continue each year that they're up for  
19 sunset. It will have to be a positive affirmed  
20 reappointment of the council through legislation.

21 MS. TRACI PHILLIPS: So what's the --

22 CHAIRMAN JEFFREY SHEPHERD: Something that  
23 we volunteer for and we don't get paid for --

24 MR. JIM LINN: Well, Mr. Chairman --

25 CHAIRMAN JEFFREY SHEPHERD: -- and somebody

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1 thinks that it's not good, I guess.

2 MR. JIM LINN: Yeah. It's actually beyond  
3 that. We -- we all serve as appointees --

4 CHAIRMAN JEFFREY SHEPHERD: I understand  
5 that. But we --

6 MR. JIM LINN: -- at the pleasure of the  
7 appointing person.

8 CHAIRMAN JEFFREY SHEPHERD: Yeah.

9 MR. JIM LINN: So they would have any right  
10 at any time to let me know, for example, that I'm no  
11 longer welcome on the council.

12 CHAIRMAN JEFFREY SHEPHERD: True.

13 MR. JIM LINN: That would be their  
14 prerogative and privilege.

15 CHAIRMAN JEFFREY SHEPHERD: But you also  
16 can choose not serve, so it's -- it's -- it is up to that  
17 person to say, "Yeah, I'll do it."

18 MR. JIM LINN: I do it for civic duty  
19 reasons, but yeah.

20 CHAIRMAN JEFFREY SHEPHERD: Right.

21 MR. JIM LINN: So --

22 CHAIRMAN JEFFREY SHEPHERD: I mean, we're  
23 here because we want to be here.

24 MR. JIM LINN: Well, that's true.

25 Absolutely.

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1 CHAIRMAN JEFFREY SHEPHERD: And we want to  
2 help out and we want to be a positive influence on our  
3 rulemaking process. I think everybody would agree with  
4 that.

5 MR. JIM LINN: Absolutely.

6 CHAIRMAN JEFFREY SHEPHERD: And without --  
7 without the council, I think the -- as Jim said earlier,  
8 the transparency seems to go away a little bit. And, you  
9 know, we -- things kind of end up in a vacuum somewhere.

10 So I -- I hope that as a council, we all reach out  
11 to our elected representatives and communicate with them  
12 the importance of keeping the council and moving forward  
13 with that. That's just my --

14 MS. TRACI PHILLIPS: Is that --

15 CHAIRMAN JEFFREY SHEPHERD: -- two cents  
16 worth.

17 MS. TRACI PHILLIPS: Is that what needs to  
18 occur?

19 CHAIRMAN JEFFREY SHEPHERD: I think that's  
20 what --

21 MR. JIM LINN: Uh-huh.

22 CHAIRMAN JEFFREY SHEPHERD: -- she's  
23 saying, yes.

24 MS. MICHELLE WYNN: (Nodded head.)

25 MS. TRACI PHILLIPS: So we draft a letter

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| <p style="text-align: right;">Page 70</p> <p>1 for all of us to --</p> <p>2 CHAIRMAN JEFFREY SHEPHERD: We can.</p> <p>3 MS. MICHELLE WYNN: I would say that if</p> <p>4 that is something you are interesting in, as representing</p> <p>5 DEQ, I would be interested in that.</p> <p>6 In theory, we will come before the committee</p> <p>7 sometime this interim, so that is any time up until</p> <p>8 January. There's a chance that they bring us in, in</p> <p>9 February, like at a committee meeting during the</p> <p>10 legislative session.</p> <p>11 At that point, that would be when the legislation</p> <p>12 has to start through the process, and all of this</p> <p>13 legislation has to go through the regular process of</p> <p>14 being heard in the committee of origin, the floor of</p> <p>15 origin, opposite committee, opposite floor, signed by the</p> <p>16 Governor.</p> <p>17 So the process will start in February. But there is</p> <p>18 a -- a likelihood that we will be called in before that.</p> <p>19 And without making recommendations, I think a letter</p> <p>20 and/or a representative of the Council, who would like to</p> <p>21 attend said hearing whenever it may be, would be a</p> <p>22 welcomed addition.</p> <p>23 CHAIRMAN JEFFREY SHEPHERD: I think the</p> <p>24 Vice Chairman should attend that meeting.</p> <p>25 (Laughter.)</p> | <p style="text-align: right;">Page 72</p> <p>1 wonder why they moved the sunset date up. I mean, the</p> <p>2 original bill, the sunset date was further out and then</p> <p>3 it got moved up. Is there somebody's head they just want</p> <p>4 to get rid of pretty quick?</p> <p>5 MS. MICHELLE WYNN: That would be an</p> <p>6 excellent guess. I haven't been able to pinpoint exactly</p> <p>7 who it is. I feel strongly that it is not us. This is</p> <p>8 caught up in a, "We're going to do this to everybody</p> <p>9 situation."</p> <p>10 VICE CHAIRMAN BRENDA MERCHANT: Got you.</p> <p>11 MS. MICHELLE WYNN: Without getting too</p> <p>12 non-political, the -- the folks that are driving this</p> <p>13 process have very strong convictions. And at one point</p> <p>14 it was just like, "Eh, just let them do what they're</p> <p>15 going to do."</p> <p>16 CHAIRMAN JEFFREY SHEPHERD: That seems</p> <p>17 reasonable.</p> <p>18 MR. JIM LINN: Uh-huh.</p> <p>19 MS. MICHELLE WYNN: Welcome to the</p> <p>20 legislature. That was off the record.</p> <p>21 CHAIRMAN JEFFREY SHEPHERD: That's what you</p> <p>22 do with your children, isn't it? Just let them do</p> <p>23 whatever they want to do.</p> <p>24 MS. KATHY AEBISCHER: I'm Kathy Aebischer,</p> <p>25 the CFO. And we've been talking to the Environmental</p>                                                                                     |
| <p style="text-align: right;">Page 71</p> <p>1 MR. TODD ADCOCK: I second.</p> <p>2 VICE CHAIRMAN BRENDA MERCHANT: I think the</p> <p>3 chairman should.</p> <p>4 (Laughter.)</p> <p>5 CHAIRMAN JEFFREY SHEPHERD: I think that a</p> <p>6 letter would be the best course of action now. And is</p> <p>7 that something that you could draft for us? Somebody?</p> <p>8 MS. MICHELLE WYNN: Yes, we could work on</p> <p>9 that for sure.</p> <p>10 CHAIRMAN JEFFREY SHEPHERD: Okay. And</p> <p>11 spell out how awesome we are.</p> <p>12 MR. JIM LINN: Well, we probably should</p> <p>13 ensure that the DEQ wishes for us to continue first.</p> <p>14 (Laughter.)</p> <p>15 MS. KAREN JAYNE: Can we get back to you?</p> <p>16 MR. JIM LINN: Absolutely.</p> <p>17 (Laughter.)</p> <p>18 (Multiple speakers.)</p> <p>19 VICE CHAIRMAN BRENDA MERCHANT: And the</p> <p>20 purposes and the different industries, et cetera, that</p> <p>21 are represent here, you know, as far as representing the</p> <p>22 stakeholders that are out there.</p> <p>23 CHAIRMAN JEFFREY SHEPHERD: Uh-huh.</p> <p>24 MR. JIM LINN: Right.</p> <p>25 VICE CHAIRMAN BRENDA MERCHANT: I did</p>                                                                                                                                                                                                                    | <p style="text-align: right;">Page 73</p> <p>1 Quality Board about this and they requested the cost of</p> <p>2 the councils. So all of the councils cost us about</p> <p>3 \$3,000 a year. This council, about a thousand, and</p> <p>4 that's just travel. So it's very inexpensive for what we</p> <p>5 get out of the council, so just another note.</p> <p>6 (Multiple speakers.)</p> <p>7 MS. MICHELLE WYNN: My follow-up statement</p> <p>8 to that, all of the councils and commissions across</p> <p>9 the -- across Oklahoma, the different ones that are</p> <p>10 involved, all do operate differently. There are some</p> <p>11 that come with a high dollar figure, there are some that</p> <p>12 don't. I figure we're in the ones that don't.</p> <p>13 So I want reiterate again, I do not believe this is</p> <p>14 a, "Let's go get the DEQ councils' movement." I believe</p> <p>15 this has just got caught up in the larger of, "We're</p> <p>16 going to show that the government is accountable and we</p> <p>17 are going to be the ones that do that."</p> <p>18 CHAIRMAN JEFFREY SHEPHERD: How do you do</p> <p>19 that by eliminating all the councils?</p> <p>20 (Laughter.)</p> <p>21 MS. TRACI PHILLIPS: Across the state --</p> <p>22 CHAIRMAN JEFFREY SHEPHERD: Well, let's</p> <p>23 draft a letter and we'll review it at the next council</p> <p>24 meeting.</p> <p>25 MS. KAREN JAYNE: Yeah, I --</p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p style="text-align: right;">Page 74</p> <p>1 CHAIRMAN JEFFREY SHEPHERD: Okay.</p> <p>2 MS. KAREN JAYNE: I need to run the</p> <p>3 drafting of the letter up the flagpole, but we'll get</p> <p>4 back to you, I promise.</p> <p>5 CHAIRMAN JEFFREY SHEPHERD: Okay.</p> <p>6 VICE CHAIRMAN BRENDA MERCHANT: Do I need</p> <p>7 to second that? Is that a motion?</p> <p>8 CHAIRMAN JEFFREY SHEPHERD: I don't think</p> <p>9 so. I just demanded it.</p> <p>10 (Laughter.)</p> <p>11 MS. MICHELLE WYNN: It wouldn't hurt if it</p> <p>12 was a motion.</p> <p>13 CHAIRMAN JEFFREY SHEPHERD: Okay. I would</p> <p>14 like a motion to request that the DEQ draft a letter in</p> <p>15 support of the Solid Waste Management Advisory Council.</p> <p>16 VICE CHAIRMAN BRENDA MERCHANT: I make that</p> <p>17 motion.</p> <p>18 MS. TRACI PHILLIPS: I second.</p> <p>19 CHAIRMAN JEFFREY SHEPHERD: Quiana.</p> <p>20 MS. QUIANA FIELDS: Mr. Adcock.</p> <p>21 MR. TODD ADCOCK: Yes.</p> <p>22 MS. QUIANA FIELDS: Mr. Cleveland has left</p> <p>23 the meeting.</p> <p>24 Mr. Lazarski.</p> <p>25 MR. THOMAS LAZARSKI: Yes.</p>                                   | <p style="text-align: right;">Page 76</p> <p>1 CHAIRMAN JEFFREY SHEPHERD: Thanks.</p> <p>2 All right. Item number 10, Public Forum. Is there</p> <p>3 anybody that wants to discuss anything?</p> <p>4 (No response.)</p> <p>5 CHAIRMAN JEFFREY SHEPHERD: Okay. Item</p> <p>6 number 11. Is there any new business?</p> <p>7 (No response.)</p> <p>8 CHAIRMAN JEFFREY SHEPHERD: Okay. I'd make</p> <p>9 a motion for adjournment.</p> <p>10 MR. JIM LINN: So moved.</p> <p>11 CHAIRMAN JEFFREY SHEPHERD: We are</p> <p>12 adjourned. Thank you. Or do we have to vote? We don't</p> <p>13 have to vote.</p> <p>14 VICE CHAIRMAN BRENDA MERCHANT: We need a</p> <p>15 second.</p> <p>16 CHAIRMAN JEFFREY SHEPHERD: Oh, a second.</p> <p>17 VICE CHAIRMAN BRENDA MERCHANT: I'll</p> <p>18 second.</p> <p>19 CHAIRMAN JEFFREY SHEPHERD: Quiana.</p> <p>20 MS. QUIANA FIELDS: Mr. Adcock.</p> <p>21 MR. TODD ADCOCK: Yes.</p> <p>22 MS. QUIANA FIELDS: Mr. Lazarski.</p> <p>23 MR. THOMAS LAZARSKI: Yes.</p> <p>24 MS. QUIANA FIELDS: Mr. Linn.</p> <p>25 MR. JIM LINN: Yes.</p> |
| <p style="text-align: right;">Page 75</p> <p>1 MS. QUIANA FIELDS: Mr. Linn.</p> <p>2 MR. JIM LINN: Yes.</p> <p>3 MS. QUIANA FIELDS: Ms. Merchant.</p> <p>4 VICE CHAIRMAN BRENDA MERCHANT: Yes.</p> <p>5 MS. QUIANA FIELDS: Ms. Phillips.</p> <p>6 MS. TRACI PHILLIPS: Yes.</p> <p>7 MS. QUIANA FIELDS: Mr. Torneten.</p> <p>8 MR. BILL TORNETEN: Yes.</p> <p>9 MS. QUIANA FIELDS: Mr. Shepherd.</p> <p>10 CHAIRMAN JEFFREY SHEPHERD: Yes.</p> <p>11 MS. QUIANA FIELDS: Motion passed.</p> <p>12 CHAIRMAN JEFFREY SHEPHERD: Good. Why</p> <p>13 don't you also -- you have all of our e-mails, I assume.</p> <p>14 MS. MICHELLE WYNN: Yes.</p> <p>15 CHAIRMAN JEFFREY SHEPHERD: Somebody does.</p> <p>16 Let us know when meetings are going to be held --</p> <p>17 MS. MICHELLE WYNN: We will.</p> <p>18 CHAIRMAN JEFFREY SHEPHERD: -- and we'll</p> <p>19 try to get to them as much as we possibly can as a</p> <p>20 council. Somebody will be there.</p> <p>21 VICE CHAIRMAN BRENDA MERCHANT: Yes.</p> <p>22 MS. MICHELLE WYNN: That would be</p> <p>23 appreciated.</p> <p>24 CHAIRMAN JEFFREY SHEPHERD: Okay.</p> <p>25 MS. MICHELLE WYNN: Thank you.</p> | <p style="text-align: right;">Page 77</p> <p>1 MS. QUIANA FIELDS: Ms. Merchant.</p> <p>2 VICE CHAIRMAN BRENDA MERCHANT: Yes.</p> <p>3 MS. QUIANA FIELDS: Ms. Phillips.</p> <p>4 MS. TRACI PHILLIPS: Yes.</p> <p>5 MS. QUIANA FIELDS: Mr. Torneten.</p> <p>6 MR. BILL TORNETEN: Yes.</p> <p>7 MS. QUIANA FIELDS: Mr. Shepherd.</p> <p>8 CHAIRMAN JEFFREY SHEPHERD: Yes.</p> <p>9 MS. QUIANA FIELDS: Motion passed.</p> <p>10 CHAIRMAN JEFFREY SHEPHERD: Thank you.</p> <p>11 Thanks, everybody. I appreciate the time and</p> <p>12 effort.</p> <p>13 (Meeting concluded at 10:35 a.m.)</p> <p>14 * * * * *</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>                                                                                                                                                                                                                                                                                                                                                 |

CERTIFICATION

1  
2 I, Jennifer Payne Kaelin, a Certified Shorthand  
3 Reporter within and for the State of Oklahoma, do hereby  
4 certify that I was present at the Solid Waste Management  
5 Advisory Council meeting had July 11, 2019; that I  
6 recorded in stenotype notes all of said meeting; and that  
7 I thereafter transcribed my notes so taken and reduced  
8 same to typewritten form; and that foregoing transcript  
9 of meeting is full, true, correct and complete, to the  
10 best of my skill and ability.

11 I further certify that I am not an attorney for nor  
12 relative of any of said parties or otherwise interested  
13 in the outcome or event of said action.

14  
15 IN WITNESS WHEREOF, I have hereunto set my hand and  
16 affixed my official seal this 22nd day of July, 2019.

17 *Jennifer Payne Kaelin, CSR*  
18

Jennifer Payne Kaelin, CSR#1748  
Official Court Reporter

19  
20  
21  
22  
23  
24  
25





# SOLID WASTE MANAGEMENT ADVISORY COUNCIL

Attendance Record

July 11, 2019

Oklahoma City, Oklahoma

CHECK BOX TO COMMENT

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

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